

Washington, Tuesday, February 3, 1953

TITLE 26-INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes
[T. D. 5975, Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

FOREIGN TAX CREDIT

On November 25, 1952, there was published in the Federal Register (17 F R. 10705) a notice of proposed rule making to conform Regulations 111 (26 CFR Part 29) to section 302 of the Excess Profits Tax Act of 1950, relating to the foreign tax credit, approved January 3, 1951. No objection to the rules proposed having been received, the amendments set forth below, including a supplemental amendment (to conform § 29,131–8 of Regulations 111 to section 341 (c) and (d) of the Revenue Act of 1951) which was not published with the above notice, are hereby adopted.

PARAGRAPH 1. There is inserted immediately preceding § 29.131-1 the following:

Sec. 302. Foreign tax credit (excess profits tax act of 1950, approved January 3, 1951).

(a) That portion of section 131 (a) of the Internal Revenue Code which precedes paragraph (1) thereof is hereby amended by inserting after "subchapter E" the following: "and except, with respect to the tax imposed under subchapter D, only to the extent provided in subsection (i)"

vided in subsection (j)"

(b) Section 131 of such code is hereby amended by adding at the end thereof the following new subsection:

(j) Tax imposed by subchapter D. This section shall be applicable for purposes of the tax imposed by subchapter D, but the tax paid or accrued to any country shall be deemed to be the amount of such tax reduced by the amount of the credit allowed under this section with respect to such tax against the tax imposed by this chapter without regard to subchapter D. The amount of the credit taken under this subsection shall be subject to each of the following conditions;

(1) The amount of the credit in respect of the tax paid or accrued to any country shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's excess profits not income from sources within such country bears to its entire excess profits not income for the same taxable year; and

(2) The total amount of the credit shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's excess profits net income from sources without the United States bears to its entire excess profits net income for the same taxable year.

Par. 2. Section 29.131-1, as amended by Treasury Decision 5968, approved December 30, 1952, is further amended by adding at the end of paragraph (e) thereof the following new sentence: "For taxable years ending after June 30, 1950, credit for taxes shall be allowed against the excess profits tax imposed by subchapter D of chapter 1, but only to the extent provided in section 131 (j) and § 29.131-10."

Par. 3. Section 29.131-4, as amended by Treasury Decision 5812, approved October 6, 1950, is further amended by deleting "income" from the second sentence of paragraph (a) thereof, so that such sentence will read as follows: "The Commissioner will thereupon redetermine the amount of the tax of such taxpayer for the year or years for which such incorrect credit was granted."

Par. 4. Section 29.131-8, as amended by Treasury Decision 5855, approved September 13, 1951, is further amended as follows:

(A) By inserting "for purpose of the income tax" in that part of the first sentence of paragraph (a) thereof which reads "is the tentative credit in respect of the taxes paid or accrued to such country or possession." immediately after "tentative credit" so that such part will read "is the tentative credit for purpose of the income tax in respect of the taxes paid or accrued to such country or possession."

(B) By striking out that part of paragraph (a) thereof which follows the words "paid or accrued to foreign countries or possessions of the United States." and inserting in lieu thereof "In computing the tax against which the

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36, 200

4.875

4.875

credit is taken there must, for taxable years beginning before January 1, 1943, be excluded the tax, if any, imposed by section 102; and, for any of such taxable years as begin after December 31, 1941, there must also be excluded the additional tax, if any, imposed for the taxable year under the provisions of section 127 (c) (3) For taxable years beginning after December 31, 1942, there must be excluded, in computing the tax against which the credit is taken, the tax imposed by section 102, the additional tax imposed for the taxable year under the provisions of section 127 (c) (3) the tax imposed by section 450 (prior to its repeal by section 6 (a) of the Individual Income Tax Act of 1944) and also, for taxable years beginning after December 31, 1950, the tax imposed by section 480; and, for taxable years ending after June 30, 1950, there must also be excluded, except to the extent provided in section 131 (j) and § 29.131-10, the excess profits tax imposed by subchapter D of chapter 1."

(C) By adding at the end of paragraph (f) thereof, which paragraph precedes example (4) and begins with the words "As to the allowance of credit" the following new sentence: "As to the allowance of credit for such taxes against the excess profits tax imposed by subchapter D of chapter 1, see section 131 (j) and § 29.131-10."

Par. 5. There is inserted immediately after § 29.131-9 the following new section:

Credit against excess § 29.131-10 profits tax imposed by subchapter D. (a) For taxable years ending after June 30, 1950, a domestic corporation is allowed a credit against the excess profits tax imposed by subchapter D of chapter 1 for the amount of any income, war profits, and excess profits taxes paid or accrued during the taxable year to any foreign country or to any possession of the United States. To the extent pertinent, the provisions of section 131 and §§ 29.131-1 through 29.131-9 are applicable for the purpose of claiming credit for taxes under this section, except that for such purpose the amount of income and profits taxes paid or accrued during the taxable year to any foreign country or possession shall be deemed to be the amount of such taxes actually paid or accrued reduced by the amount of such taxes allowed as a credit under section 131 against the tax imposed by chapter 1 without regard to the excess profits tax imposed by subchapter D. See § 29.131-8 as to the amount of such credit allowable and as to the computation of the tax against which such credit may

(b) The amount of the income and profits taxes paid or accrued (including the taxes which, in accordance with the provisions of section 131 (f) are deemed to have been paid) during the taxable year to each foreign country or possession of the United States, limited under section 131 (j) (1) so as not to exceed that proportion of the excess profits tax which the taxpayer's excess profits net income from sources within such country or possession bears to its entire excess profits net income for the same taxable

year, is the tentative credit for the purpose of this section in respect of the taxes paid or accrued to such country or possession. The sum of these tentative credits, limited under section 131 (j) (2) so as not to exceed that proportion of the excess profits tax which the taxpayer's excess profits net income from sources without the United States bears to its entire excess profits net income for the same taxable year, is the amount allowable as a credit against the excess profits tax for income or profits taxes paid or accrued to foreign countries or possessions of the United States. For the determination of the excess profits net income, see §§ 40.433 (a)-1 and 40.433 (a)-2 of this subchapter (Regulations For the determination of the 130) source of such net income, see section 119 and the regulations thereunder.

(c) The application of this section may be illustrated by the following examples involving the calendar year

Example (1). In this example it is assumed that the taxpayer has no income or loss from any foreign country other than Country X. Accordingly, the limitation under section 131 (j) (2) will not change the credit determined after applying section 131 (j) (1).

45, 230

80,000

49,500

40,725

40,725

8,775

5,625

5,625

(A) Normal tax net income from all sources_ 8100,000 (B) Total normal tax and surtax (before section 131 credit)_ (C) Normal tax net income from foreign Country X..... (D) Foreign tax paid on Country X income_ (E) Limitation on foreign tax under section 131 (b) (1) and (2) to determine section 131 (a) credit allowable against normal tax and surtax: \$100,000 ×\$45,250 _____ (F) Foreign tax credit allowable against normal tax and surtax (foreign tax, but not in excess of above limitation of \$40,725) ___ (G) Excess profits net income from all sources_ (H) Excess profits net income from foreign Country X) Excess profits credit. (J) Excess profits tax (before section 131 credit)_ (K) Foreign tax paid on Country X income for the purpose of section 131 (j) \$49,500—\$40,725______ (L) Limitation on foreign under section 131 (j) (1) and (2) to determine section 131 (j) credit allowable against excess profits tax: \$75,000 \$80,000×\$6,000_____ (M) Foreign tax credit allowable against excess profits tax (foreign tax for purpose of section 131 (j), but not in excess of above limitation of \$5,625)_____ (N) Total income and excess prof-

tax (before section 131 credit) \$45,250 + \$6,000 (O) Total credit under section 51, 250 131: \$40,725 + \$5,625 -46, 350 Total income and excess profits tax after credit under section 131: 851.250-846.350-

Example (2). The facts are assumed to be the same as those under example (1), ex-

cept that there is a net loss of \$10,000 allocable to fereign Country Y, which net loss was taken into account in determining the normal tax net income from all sources of \$100,000 (item (A), example (1)) and the excess profits not income from all sources of 620,000 (item (G), example (1)). The total income and excess profits tax after credit under section 131 is computed as follows:

(A) Tentative foreign tax credit under cection 131 (b) (1) allow-able against normal tax and surtax (foreign tax paid on Country X income, but not in excess of limitation under section 131 (b) 690,000

8160,600 ×645,250__ __ \$40,725

(B) Limitation on foreign tax under section 131 (b) (2) to determine section 131 (a) credit allowable against normal tax and surtax: 020,000

8100,000 ×845,250___ 36, 200

(C) Foreign tax credit allowable against normal tax and surtax (tentative credit under section 131 (b) (1), but not in excess of \$36,200, limitation under sec-

pose of section 131 (j) 13,300 849,500-£36,200_.

(E) Tentative foreign tax credit under section 131 (j) (1) allow-able against excess profits tax (foreign tax for purpose of section 131 (j), but not in excess of limitation under section 131 (j) (1))

875,000 ×66,000_ 5,625

(F) Limitation on foreign tax under cection 131 (j) (2) to determine cection 131 (j) credit allowable against excess profits tax: 805,000 ×86,000

(G) Foreign tax credit allowable

against excess profits tax (tenta-tive credit under section 131 (j) (1), but not in excess of \$4,875, limitation under section 131 (j)

(2))______ I) Total income and excess profits tax (before section 131 credit)

20,000 845,250 plus 86,000_ 51,250 Total credit under section 131: 75,000

836,200+\$4,875_. 41,075 69, 660 (J) Total income and excess profits tax after credit under section 131: 6,000 \$51,250-\$41,075____ 10,175

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

JOHN S. GRAHAM, Acting Commissioner of Internal Revenue.

Approved: January 28, 1953.

M. B. Folson. Acting Secretary of the Treasury.

[F. R. Doc. 53-1116; Filed, Feb. 2, 1953; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I-Civil Aeronautics Board

[Civil Air Regs., Amdt. 42-16]

PART 42-IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

MODIFICATION OF APPROACH AND LANDING LIMITATIONS

Correction

In F. R. Doc. 53-649, appearing on page 409 of the issue for Tuesday, January 20, 1953, the following changes should be made:

- 1. The sub-heading should read as set forth above.
- 2. In the first line of the second paragraph, "Section 42.56 Exceptions" should read "Section 42.56 Instrument approach"

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 3]

PART 600—DESIGNATION OF CIVIL AIRWAYS ALTERATIONS

The civil airway alteration appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted to become effective when indicated in order -to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required. Part 600 is amended as follows:

- 1. Section 600.101 Amber civil airway No. 1 (United States-Mexican Border to Nome, Alaska) is amended between Puntilla Lake, Alaska, non-directional radio beacon and Nome, Alaska, radio range station to read: "Puntilla Lake, Alaska, non-directional radio beacon, Farewell, Alaska, radio range station; McGrath, Alaska, radio range station; Unalakleet, Alaska, radio range station to the Nome. Alaska, radio range station."
 - 2. Section 600.206 is amended to read:
- § 600.206 Red civil airway No. 6 (Las Vegas, Nev., to Omaha, Nebr.) From the intersection of the northeast course of the Las Vegas, Nev., radio range and the southwest course of the St. George: Utah, VHF radio range via the St. George, Utah, VHF radio range station: the Bryce Canyon, Utah, VHF radio range station; thence via Latitude 38°22'30" Longitude 110°42'00" and Latitude 38°48'00" Longitude 109°46'10" to Latitude 39°01'54" Longitude 108°47'36" From the Denver, Colo., radio range station to the Akron, Colo., radio range station. From the Grand Island, Nebr., radio range station via the Lincoln, Nebr., radio range station to the Omaha. Nebr., radio range station.
 - 3. Section 600.244 is amended to read:
- § 600.244 Red civil airway No. 44 (Bellingham, Wash., to Princeton, B. C., Canada) That airspace over United States territory from the Bellingham, Wash., radio range station to the Princeton, British Columbia, Canada, radio range station.
- 4. Section 600.613 Blue civil airway No. 13 (Houston, Tex., to Minneapolis, Minn.) is amended between Texarkana, Ark., radio range station and the Van Buren, Ark., non-directional radio bea-

con to read: "Texarkana, Ark., radio range station; Van Buren, Ark., non-directional radio beacon, excluding the portion which overlaps danger areas;"

- 5. Section: 600.632 Blue civil airway No. 32 (Pendleton, Oreg., to Talkeetna, Alaska) is amended by changing first portion to read: "From the Pendleton, Oreg., radio range station to the Yakıma, Wash., radio range station.'
- 6. Section 600.6002 VOR civil airway No. 2 (Seattle, Wash., to Boston, Mass.) is amended before Dickinson, N. Dak., omnirange station to read: "From the Seattle, Wash., omnirange station via the Ellensburg, Wash., omnirange sta-tion; Ephrata, Wash., omnirange sta-tion; Spokane, Wash., omnirange station; Mullan Pass, Idaho, omnirange station; Missoula, Mont., omnirange station; Drummond, Mont., omnirange station to the Helena, Mont., omnirange station. From the Livingston, Mont., omnirange station via the Billings, Mont., omnirange station; Miles City, Mont., omnirange station; Golva, N. Dak., omnirange station; Dickinson, N. Dak., omnirange station;"
- 7. Section 600.6008 VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.) is amended before Imperial, Nebr., omnirange station to read: "From the Long Beach, Calif., omnirange station via the Ontario, Calif., omnirange station; Daggett, Calif., omnirange station; Las Vegas, Nev., omnirange station to the Mormon Mesa, Nev., omnirange station. From the Grand Junction, Colo., omnirange station via the Kremmling, Colo., omnirange station; Denver, Colo., omnirange station, including a north alternate; Akron, Colo., omnirange station, including a north alternate. nate;"
- 8. Section 600.6019 is amended by changing the headnote to read: "VOR civil airway No. 19 (El Paso, Tex., to Great Falls, Mont.)" and by amending the last portion to read. "From the Denver, Colo., omnirange station via the Cheyenne, Wyo., omnirange station, including an east alternate; Douglas, Wyo., omnirange station, including an east alternate; Casper, Wyo., omnirange station, including an east alternate; Crazy Woman, Wyo., omnirange station, including an east alternate; Sheridan, Wyo., ommrange station, including an east alternate; Billings, Mont., omnirange station; intersection of the Billings omnirange 347° True and the Lewistown omnirange 104° True radials; Lewistown, Mont., omnirange station to the Great Falls, Mont., omnirange station."
- 9. Section 600.6025 is amended to

§ 600.6025 VOR civil airway No. 25 (Oakland, Calif., to Ellensburg, Wash.) From the Oakland, Calif., omnirange station via the Ukiah, Calif., omnirange station to the Red Bluff, Calif., omnirange station. From the The Dalles, Oreg., omnirange station via the Yakima, Wash., omnirange station; intersection of the Yakıma omnırange 304° True and the Ellensburg omnirange 191° True radials to the Ellensburg, Wash., omnirange station, excluding those portions which overlap danger areas.

- 10. Section 600.6119 is added to read: § 600.6119 VOR civil airway No. 119 (Unassigned)
- 11. Section 600.6120 is added to read: § 600.6120 VOR civil airway No. 120 (Great Falls, Mont., to Miles City, Mont.) From the Great Falls, Mont., omnirange station via the Lewistown. Mont., omnirange station to the Miles City, Mont., omnirange station.

(Sec. 205, 52 Stat. 984, as amended: 49 U.S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001, e. s. t., February 3, 1953.

[SEAL]

F B. LEE. Acting Administrator of Civil Aeronautics.

[F. R. Doc. 53-1083; Filed, Feb. 2, 1959; 8:45 a. m.]

[Amdt. 3]

PART 601-DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required. Part 601 is amended as follows: 1. Section 601.1002 is amended to

- read:
- § 601.1002 Control area extension (Austin, Tex.) That airspace within a 40-mile radius of the Austin, Tex., radio range station.
- 2. Section 601.1004 is amended to read:
- § 601.1004 Control area extension (Brownsville, Tex.) That airspace over United States territory within a 40-mile radius of the Brownsville, Tex., radio range station, excluding the portion which overlaps danger areas and excludmg the portions lying north of Latitude 26°30'00" and more than 3 miles, from the United States shoreline.
- 3. Section 601.1007 is amended to read:
- § 601.1007 Control area extension (Laredo, Tex.) That airspace over United States territory within a 35-mile radius of the Laredo, Tex., radio rango

4. Section 601.1053 is amended to read:

§ 601.1053 Control area extension (Houston, Tex.) (Beaumont-Palacios-Houston area) All that airspace beginning at Latitude 30°22'00" Longitude 94°03'00" thence clockwise along an arc with a 25-mile radius, centered on the Beaumont, Tex., radio range station to Latitude 29°38'35", Longitude 94°00'00", thence south to Latitude 29°37'30" Longitude 94°00'00" thence southwesterly 3 nautical miles from and parallel to the shoreline to Latitude 28°23'20" Longitude 96°17'30" thence clockwise along an arc with a 25-miles radius centered on the Palacios, Tex., radio range station to Latitude 28°55'00'' Longitude 96°38'45" thence northeasterly to Latitude 29°58'30" Longitude 95°58'30" thence clockwise along an arc with a 50miles radius centered on the Houston. Tex., radio range station to Latitude 30°20'25" Longitude 95°17'00" thence east to point of beginning.

- 5. Section 601.1322 is added to read:
- § 601.1322 Control area extension (Alice, Tex.). All that airspace within a 35-mile radius of the Alice, Tex., radio range station excluding the portion which overlaps danger areas.
 - 6. Section 601.1323 is added to read:

§ 601.1323 Control area extension (Dallas, Tex.) (Dallas-Houston-Austin area) All that airspace bounded on the northeast by a line 5 miles east of and parallel to a direct line from the Dallas, Tex., radio range station to the Houston, Tex., radio range station, on the east by Red civil airway No. 96, on the southwest by Red civil airway No. 32, and on the northwest by Amber civil airway No. 4 to the Waco, Tex., radio range station and by Blue civil airway No. 5 to the Dallas, Tex., radio range station.

- 7. Section 601.1324 is added to read:
- § 601.1324 Control area extension (Brunswick, Maine) Within 5 miles either side of a line bearing 173° True from the Brunswick, Maine, NAS non-directional radio beacon extending to a point 15 miles south of the non-directional radio beacon.
 - 8. Section 601.1325 is added to read:
- § 601.1325 Control area extension (Tampa, Fla.) All that airspace within a radius of 50 statute miles of the Tampa, Fla., radio range station, excluding the portions which overlap danger areas and Airspace Warning Areas, and including the area bounded on the northeast by a line 5 miles northeast of and parallel to a line extending from the intersection of the north course of the Tampa, Fla., radio range and the southeast course of the Cross City, Fla., radio range to the intersection of the southeast course of the Tampa, Fla., radio range and the northeast course of the Fort Myers, Fla., radio range, on the southeast by the northeast course of the Fort Myers, Fla., radio range, on the west by Red civil airway No. 25 to point of beginning.

9. Section 601.1984 Fire-mile control zones, is amended by adding the following airport:

Shreveport, La.. Shreveport Greater Municipal Airport.

- 10. Section 601.2038 Shreveport, La., control zone is amended by changing the name "Shreveport Municipal Airport" to read: "Shreveport Downtown Airport."
- 11. Section 601.2039 is amended to

§ 601.2089 Cleveland, Ohio, control zone. Within a 5-mile radius of the Cleveland Municipal Airport, within 2 miles either side of the west course of the Cleveland radio range extending from the radio range station to the Elyria fan marker and within 2 miles either side of the Cleveland ILS localizer course extending from the localizer to a point 10 miles southwest of the outer marker.

- 12. Section 601.2168 is amended to read:
- § 601.2168 Tampa, Fla., control zone. That airspace within a 5-mile radius of the Tampa International Airport, within a 5-mile radius of McDill Air Force Base, within 2 miles either side of a line extending from the Tampa International Airport to the Tampa radio range station and within 2 miles either side of the southeast course of the Tampa radio range extending to a point 10 miles southeast of the radio range station, within a 5-mile radius of the Pinellas County Airport and 2 miles either side of a line extending from Pinellas County Airport to the Tampa radio range station, and within 2 miles either side of the 274° True radial of the Tampa omnirange extending from the Pinellas County Airport control zone to a point 10 miles west of the omnirange station.
- 13. Section 601.2213 Salinas, Kans., control zone is amended by correcting the last portion to read: "including that airspace lying in a clockwise direction between the 322° True and 10° True radials of the Salina omnirange within a 10-mile radius of the Salina omnirange station."
- 14. Section 601.2249 is amended to read:
- § 601.2249 Corpus Christi, Tex., control zone. Within a 3-mile radius of Cliff Maus Airport, within 2 miles either side of the northwest course of the Corpus Christi radio range extending from the radio range station to the Odem fan marker and within 1 mile either side of a straight line extending from Cliff Maus Airport to Cuddihy Field to include a 2-mile radius of Cuddihy Field.
- 15. Section 601.2307 is amended to read:

§ 601.2307 Brunswick, Maine, control zone. Within a 5-mile radius of the Brunswick, Maine, Naval Air Station, excluding the portion which overlaps Amber civil airway No. 7, and within 2 miles either side of a line bearing 173° True from the Brunswick NAS non-

directional radio beacon extending to a point 10 miles south of the non-directional radio beacon.

- 16. Section 601.4206 is amended to read:
- § 601.4205 Red civil arrway No. 6 (Las Vegas, Nev., to Omaha, Nebr.) St. George, Utah, VHF radio range station; Bryce Canyon, Utah VHF radio range station; Latitude 38°22'30" Longitude 110°42'00" Latitude 39°01'54", Longitude 108°47'36"
- 17. Section 601.4272 is amended to read:
- § 601.4272 Red civil airway No. 72 (Litilville, N. J., to Idlewild, N. Y.) Willow Grove, Pa. (Navy), radio range station.
- 18. Section 601.6119 is added to read: § 601.6119 VOR civil arrway No. 119 control arcas. (Unassigned.)
 - 19. Section 601.6120 is added to read:
- § 601.6120 VOR civil airway No. 120 control areas (Great Falls, Mont., to Miles City, Mont.). All of VOR civil airway No. 120.
- 20. Section 601.7001 VOR reporting points is amended by changing Fairville Intersection to read:

Fairville Intersection: The intersection of the Rochester, N. Y., omnirange 037° True and the Elmira, N. Y., omnirange 356° True radials.

and by adding the following reporting points:

Grand Junction, Colo., omnirange station Kremmling, Colo., omnirange station.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001, e. s. t., February 3, 1953.

[SEAL]

F. B. Lee,
Acting Administrator
of Civil Aeronautics.

[F. R. Dac. 53-1034; Filed, Feb. 2, 1953; 8:45 a.m.]

[Amdt. 47]

PART 608-DANGER AREAS

ALTERATIONS

The danger area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and is adopted when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with section 4 of the Administrative Procedure Act is not required. Part 608 is amended as follows:

In § 608.40, a Pine Camp, New York (Exercise Cold Spot) temporary area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of desig- nation	Using agency .
PINE CAMP (EX- ER CISE COLD SPOT) (Albany and Burlington Charts).	Beginning at lat. 44°20′00″ N., long, 75°55′00″ W· northeasterly along the S. shore of the St. Lawrence River to lat. 44°42′00″ N., long, 75°30′00″ W· easterly following the railroad tracks to the Raquette River at Norwood, N. Y., at lat. 44°45′00″ N., long, 75°00′00″ W· southeasterly along the Raquette River to lat. 44°17′00″ N., long, 74°35′00″ W., SW to lat. 43°48′00″ N., long, 75°05′00″ W., due W. to long, 75°55′00″ W., due N. to lat. 44°20′0″ N., long, 75°55′00″ W., point of beginning,	rain.	Continuous, Feb. 9, 1953, through Mar. 20, 1953.	Air Maneuve Control Cen ter, Wheeler Sack A A F Pine Camp N. Y.
			·	`

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U.S. C. 551)

This amendment shall become effective on February 9, 1953.

[SEAL]

F B. LEE. Acting Administrator of Civil Aeronautics.

(F. R. Doc. 53-1085; Filed, Feb. 2, 1953; 8:45 a. m.)

Chapter XI-National Guard and State Guard, Department of the

PART 1101—NATIONAL GUARD REGULATIONS BURIAL EXPENSES

In § 1101.41 (b) subparagraphs (1) (v) and (4) are amended to read as follows:

§ 1101.41 Burial. * * *

- (b) Expenses allowable—(1) Limitations.
 - (v) Interment expenses as follows:
- (a) When interment is made in a private cemetery, an allowance not to exceed \$125.00.
- (b) When interment is made in a national or post cemetery, an allowance not to exceed \$75.00.
- (4) Interment expenses. Except in cases where remains are cremated, an amount may be allowed toward interment expenses as set forth in this subparagraph:
- (i) When burial is made in a private cemetery the Government will, upon request, reimburse the person who pays interment expense an amount up to but not exceeding the \$125.00 maximum; any expenses over and above this amount must be borne by the next of kin or other persons who incurred or paid the expenses.
- (ii) When burial is made in a national or post cemetery, if expenses are incurred and paid by the next of kin or other persons, the Government will, upon request, reimburse the person who pays such expense an amount up to but not exceeding the \$75.00 maximum; any expenses over and above this amount must be borne by the next of kin or other persons who incurred or paid the expenses.
- [O1, NGR 63, Dec. 11, 1952] (49 Stat. 1508; 32 U.S. C. 164c)

[SEAL] WM. E. BERGIN, Major General, U S. Army, The Adjutant General.

[F. R. Doc. 53-1112; Filed, Feb. 2, 1953; 8:51 a. m.]

TITLE 32—NATIONAL DEFENSE TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Supplementary Regulation 6, Revision 1, Amdt. 5]

CPR 22-Manufacturers' General CEILING PRICE REGULATION

SR 6-CEILING PRICES FOR MANUFAC-TURERS FOR THE SALE OF PAINTS, VAR-NISHES AND LACQUERS

POSTPONEMENT OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization General Order No. 2, this Amendment 5 to Revision 1 of Supplementary Regulation 6 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment postpones until March 16, 1953, the mandatory effective date of Supplementary Regulation 6, Division 1, to Ceiling Price Regulation 22.

This further postponement of the mandatory effective date is issued for the reasons set forth in the statement of considerations accompanying Amendment 4 to the supplementary regulation and upon the demonstration, to the satisfaction of the Director of Price Stabilization, that the previous extension of time to January 30, 1953, had also proved to be madequate. .

In the formulation of this amendment informal consultation has been had with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 6, Revision 1, to Ceiling Price Regulation 22 is amended by changing the last paragraph thereof (effective date) to read as fol-

Effective date. The mandatory effective date of this supplementary regulation is March 16, 1953. However, if you so elect, you may make this regulation effective as to you at any time between August 13, 1952, and March 16, 1953. If you do so elect, this supplementary regulation, on the date you exercise your option, becomes effective as to you for all your commodities covered hereby.

This Amendment 5 to Supplementary Regulation 6, Revision 1, is effective January 30, 1953.

Joseph H. Freehill, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1187; Filed, Jan. 30, 1953; 4:56 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 19, Revocation]

CPR 22-Manufacturers' General CEILING PRICE REGULATION

SR 19—Cast-Iron Boilers and Cast-Iron RADIATION

REVOCATION

Supplementary Regulation 19 to Ceiling Price Regulation 22 (SR 19 to CPR 22) which was issued November 28, 1951, authorized adjustments in the celling prices of manufacturers for their sales of cast-iron boilers and cast-iron radiation. Since that time it has been determined that this industry is entitled to a further adjustment of its ceiling prices under the industry earnings standard. This further adjustment is authorized by Amendment 4 to GOR 42, which is being issued simultaneously with this revocation. The ceiling prices established by Amendment 4 supersede those established by SR 19; therefore SR 19 is being revoked.

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Order No. 2, Supplementary Regulation 19 to Ceiling Price Regulation 22 is hereby revoked, effective February 4, 1953.

(Sec. 704, 64 Stat. 716, as amended; 50 U.S. O. App. Sup. 2154)

> JOSEPH H. FREEHILL. Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1152; Filed, Jan. 30, 1953; 12:59 p. m.]

[Ceiling Price Regulation 30, Amdt. 5 to Supplementary Regulation 41

CPR 30-MACHINERY AND RELATED MANUFACTURED GOODS

SR 4-Adjustment of Pricing Formu-LAS UNDER SECTION 402 (D) (4) OF THE DEFENSE PRODUCTION, ACT OF 1950, AS AMENDED

EXTENSION OF DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F R. 738), this amendment to Supplementary Regulation 4 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 4 to SR 4 to CPR 30 added a new section to SR 4 to permit manufacturers who desire to determine a socalled "Capehart adjustment" for their ceiling prices to calculate the permissible increases in overhead costs by the use of an "overhead cost adjustment factor" for a product line, category, or unit, or for the entire business.

The amendment, in part, states that "on and after January 31, 1953, you may not sell any formula priced commodity or service at a ceiling price in excess of the properly determined CPR 30 ceiling price exclusive of any so-called 'Capehart Adjustment' under SR 4 or SR 5 to CPR 30 unless you have made the computations and filed the forms required by this supplementary regulation or SR 8, as amended, to CPR 30." Some manufacturers have indicated that they will not be able to make the calculations required by SR 4 to CPR 30, as amended, or SR 8 to CPR 30, as amended, by January 31, 1953. This amendment, therefore, extends the date on and after which a manufacturer may not sell a formula priced commodity or service at a ceiling price in excess of the properly determined CPR 30 ceiling prices, exclusive of any so-called "Capehart Adjustment" under SR 4 or SR 5 to CPR 30 unless the manufacturer has complied with the requirements of either SR 8 to CPR 30, as amended, or SR 4 to CPR 30, as amended, from January 31, 1953 to February 28, 1953.

In view of the technical nature of the changes made by this amendment, and the desirability of immediate action, the Director of Price Stabilization has found that special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 4 to Ceiling Price Regulation 30 is amended in the following respects:

1. Paragraph (b) of section 15 of SR 4 to CPR 30 is amended to read as follows:

(b) You manufacture commodities or supply services for which you determine base period prices under section 9 of CPR 30 (formula priced commodities and services) The application for adjustment for these commodities and services may be made separately from your application for other commodities and services covered by CPR 30, and you may adjust ceiling prices for these formula priced commodities and services separately. You may determine an adjustment for formula priced commodities and services under this supplementary regulation by making the necessary computations and filing an OPS Public Form No. 100 as required, or you may use SR 8 to CPR 30 to determine adjusted ceiling prices for such commodities and services. However, on and after February 28, 1953, you may not sell any formula priced commodity or service at a ceiling price in excess of the properly determined CPR 30 ceiling price exclusive of any so-called "Capehart Adjustment" under this supplementary regulation or SR 5 to CPR 30 unless you have made the computations and filed the forms required by this supplementary, regulation or SR 8 to CPR 30.

(Sec. 704, 64 Stat. 816, as amended; 50 **U.S.C.** App. Sup. 2154)

Effective date. This amendment is effective January 30, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1153; Filed, Jan. 30, 1953; 12:59 p. m.]

[Ceiling Price Regulation 30, Amdt. 4 to Supplementary Regulation 8]

CPR 30—MACHINERY AND RELATED
MANUFACTURED GOODS

SR 8—ADJUSTMENT OF PRICING FORM-ULAS UNDER SECTION 402 (D) (4) OF THE DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

EXTENSION OF DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this amendment to Supplementary Regulation 8 to Celling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 3 to Supplementary Regulation 8 to Ceiling Price Regulation 30 made certain changes in the provisions of SR 8 to CPR 30 which involve the relationship between SR 8 and Supplementary Regulation 4 to CPR 30 (Adjustment under section 402 (d) (4) of the Defense Production Act of 1950, as amended)

The amendment, in part, states that "on and after January 31, 1953, you may not sell any formula priced commodity or service at a ceiling price in excess of the properly determined CPR 30 ceiling price exclusive of any so-called 'Capehart Adjustment' under SR 4 or SR 5 to CPR 30 unless you have made the computations and filed the forms required by this supplementary regulation or SR 4, as amended, to CPR 30." Some manufacturers have indicated that they will not be able to make the calculations required by SR 8 to CPR 30, as amended, or SR 4 to CPR 30, as amended, by January 31, 1953. This amendment, therefore, extends the date on and after which a manufacturer may not sell a formula priced commodity or service at a ceiling price in excess of the properly determined CPR 30 ceiling prices, exclusive of any so-called "Capehart Adjustment" under SR 4 or SR 5 to CPR 30 unless the manufacturer has complied with the requirements of either SR 8 to CPR 30, as amended, or SR 4 to CPR 30, as amended, from January 31, 1953 to February 28, 1953.

In view of the technical nature of the changes made by this amendment, and the desirability of immediate action, the Director of Price Stabilization has found that special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 8 to Ceiling Price Regulation 30 is amended in the following respect:

- 1. Subparagraph (3) of section 9 (b) of SR 8 to CPR 30 is amended to read as follows:
- (3) Relation to Supplementary Regulation 4 to Ceiling Price Regulation 30. You may, at your option, use either this supplementary regulation or SR 4, as amended, to CPR 30 to determine adjusted ceiling prices for formula priced commodities and services. If you have already adjusted your ceiling prices under SR 4 to CPR 30 for commodities and services other than formula priced commodities and services, you may now file a separate application to adjust ceiling prices for formula priced commod-ities and services under this supplementary regulation or you may file an amended application under SR 4, as amended, to CPR 30 to adjust ceiling prices for such commodities or services. However, on and after February 28, 1953, you may not sell any formula priced commodity or service at a ceiling price in excess of the properly determined CPR 30 ceiling price exclusive of any so-called "Capehart Adjustment" under SR 4 or SR 5 to CPR 30 unless you have made the computations and filed the forms required by this supplementary regulation or SR 4, as amended. to CPR 30.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S. C. App. Sup. 2154)

Effective date. This amendment is effective January 30, 1953.

JOSEPH H. FREEHILL, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1154; Filed, Jan. 30, 1953; 12:59 p. m.]

[Ceiling Price Regulation 34, Amdt. 1 to Supplementary Regulation 36]

CPR 34-SERVICES

SR 36—Linen Supply Services in the Pittseurgh, Pa., Area

COLIPUTATION OF PRICE INCREASE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 1 to Supplementary Regulation 36 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Supplementary Regulation 36 to Ceiling Price Regulation 34 modifies the computation of ceiling price increases granted by this supplementary regulation. Supplementary Regulation 36 permits linen supply service sellers in the Pittsburgh, Pennsylvania, Area to increase their ceiling prices by 6 percent. In cases where the new ceiling price consists of a fraction of a cent, the regulation permits the price to be rounded to the nearer full cent. However, it has been customary

to compute prices on the basis of the nearer one-half cent rather than the full cent. Accordingly, in order to conform the provisions of Supplementary Regulation 36 to established linen supply pricing practices in the affected area, section °3 (c) of Supplementary Regulation 36 is amended to set forth new instructions on how to determine the ceiling price in those cases where the rounding of fractions of a cent is required.

In view of the clarifying nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Subparagraph (c) of section 3 of Supplementary Regulation 36 to Ceiling Price Regulation 34 is amended to read as follows:

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower one-half cent if the fractional cent is less than one-quarter cent, or may be increased to the next higher one-half cent if the fraction is one-quarter cent or more.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 36 to Ceiling Price Regulation 34 shall be effective on January 30, 1953.

> JOSEPH H. FREEHILL. Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1155; Filed, Jan. 30, 1953; 12:59 p. m.]

[Ceiling Price Regulation 51, Amdt. 8]

CPR 51-FOOD PRODUCTS SOLD IN PUERTO Rico

CEILING PRICES FOR SALE OF BEEF IN PUERTO RICO

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 8 to Ceiling Price Regulation 51 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 1 to Ceiling Price Regulation 51 fixed the ceiling prices for sales of live cattle and established dollar and cents ceiling prices at wholesale and retail for sales in Puerto Rico of beef produced from cattle slaughtered in Puerto Rico, the Dominican Republic or the Virgin Islands.

When Amendment 1 to CPR 51 became effective, it was the traditional practice to import into Puerto Rico only beef in the carcass from the Dominican Republic and only beef cuts trimmed according to the American style from the continental United States. This customary practice has undergone some change since the issuance of Amendment 1. The Dominican Republic is now

in the linen supply business in this area - exporting beef cuts to Puerto Rico, and the continental United States is sendingto Puerto Rico lean beef in carcass which so resembles locally produced beef that it is indistinguishable from it when cut and trimmed according to the traditional method in Puerto Rico.

Retail ceiling prices for United States produced beef under CPR 9 are considerably higher than those applicable to locally produced beef, a situation which could well lead to the evasive practice of upgrading local and Dominican beef.

This amendment extends the coverage of CPR 51 to include all sales at wholesale of beef in the carcass, irrespective of point of origin. In addition, this amendment establishes wholesale ceiling prices for retail cuts of beef derived from animals slaughtered in Puerto Rico, the Dominican Republic or the Virgin-Islands, and from cattle slaughtered in the continental United States, and cut in Puerto Rico according to the Puerto Rican style. It does not include beef cuts, trimmed in the American style in the United States and exported to Puerto Rico. These remain subject to Ceiling Price Regulation 9. Neither does it revise retail prices for beef cuts, as set forth in section 3.1 (b) (2)

There has been some uncertainty heretofore concerning the pricing of beef imported in quarters. To clarify this, the definition of "beef carcass" has been extended by this amendment to specifically include hindquarters and forequarters.

In the judgment of the Director, the nature of this amendment and the special circumstances involved in its issuance has made formal consultation with the industry impracticable. In his opinion, the provisions of the amendment are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Article 3 of Ceiling Price Regulation 51 is amended to read as follows:

ARTICLE 3-MEAT

Sec. 3.1. Beef—(a) Definitions. (1) "Beef" means meat delivered from the carcasses of bovine animals except calves.

(2) "Beef careass" means and is limited to the dressed carcass' sides. hindquarters or forequarters of beef.

(3) "Meat" means tenderloin, round meat, stew beef, soup meat, and ground meat, as defined herein.

(4) "Tenderloin" means fillet.
(5) "Round meat" (carne de biftec) means lomillo, masa de cadera, masa redonda, masa larga, babilla, and landrecilla.

(6) "Stew meat" (carne de guisar) means faldilla, pecho, sobrepecho, pescuezo, espalda, sobrelomo, and costillas.
(7) "Soup meat" (carne de sopa)

means garron, patas, and bones with twenty-five percent or more of meat.

(8) "Ground meat" means ground, chopped or comminuted beef, derived from the cutting and cleaning of the dressed carcass.

(b) Ceiling prices. Ceiling prices for beef are established as follows:

	Sales at wholesalo	Sales at rotall
. Beef carcass delivered at re-	Per pound	Per pound
tailer's place of business. Beef cuts from cattle slaughtered in Puerto Rico, the Dominican Republic, or the Virgin Islands or cut in Puerto Rico from the beef carcass imported from the United States:	\$0.35	
Tenderloin	. 92 . 57 . 38	\$1,10 .68 .40
bones)	.23 .15 .07 .21	.28 .18 .09 .25

(Sec. 704, 64 Stat. 816, as amended; 50 U.S. C. App. Sup. 2154)

Effective date. This Amendment 8 to Ceiling Price Regulation 51 is effective February 4, 1953.

> JOSEPH H. FREEHILL, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1156; Filed, Jan. 30, 1953; 12:59 p. m.]

[Ceiling Price Regulation 185]

CPR 185-BREWERS' DRIED PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for sales of brewers' dried products by processors, jobbers, wholesalers and retailers.

Brewers' dried products are by-product feeds resulting from the manufacture of malt and beer. The dried products covered by the regulation include brewers' dried grains, malt sprouts, malt dried grain, malt cleanings and malt hulls. These products are part of the total high protein feed supply of this country. They are used extensively as feed ingredients because of their high protein content and feeding value. Their production has increased from approximately 98,900 tons during 1935-36 to 239,000 tons for 1950-51.

Brewers' specialty products are excluded from the regulation at this time and remain subject to the General Ceilmg Price Regulation and Supplementary Regulation 7 to that regulation. Brewers' specialty products are products made from brewers' dried grains (or the other dried products named above) to which other ingredients have been added. Owing to the various individual formulas used by processors, it is not feasible to establish new ceiling prices for specialty products at this time. However, the Director of Price Stabilization is making a study of these products with a view to including them under the regulation at such time as adequate data on which to base prices or a pricing method is available.

Ceiling prices for brewers' dried grains and brewers' wet grains were frozen at depressed levels under the General Ceiling Price Regulation owing to the abnormally high production and large supply of distillers' dried grains, a closely competitive feed. Adjustments which have been made in the ceiling prices of distillers' dried grains, corn gluten feed, and other competing by-product feeds have distorted the normal price relationships between those products and brewers' dried products. This regulation for brewers' dried products, among other things, removes many of the price distortions which existed under the GCPR. The new ceiling prices are set at a level slightly higher than that required to cover present ceilings of the bulk line of production.

This regulation establishes dollarsand-cents ceiling prices for processors' bulk sales of brewers' dried products of 24 percent or higher protein content at seven basing points. The regulation sets up five pricing areas, and processors' f. o. b. plant and delivered ceiling prices are determined by reference to the applicable basing point price plus freight as allowed under the regulation. For the West Coast area (California, Oregon and Washington) a five dollar per ton differential over the Chicago, Illinois basing point price is provided in accordance with established differentials. The areas specified are the same as those used during wartime controls by OPA, as recommended by the Industry Advisory Committee.

Provision is made for I. c. I. sales, for sales of products of less than standard (24 percent) protein content and for sacks and sacking allowances.

The regulation provides for only one markup for jobbers as a class and one markup for wholesalers as a class. The jobber calculates his ceiling price by applying the dollars-and-cents markups named in the regulation to the processors' ceiling price at the same point. Wholesalers and retailers determine their ceiling prices by applying-the markups specified in the regulation to their suppliers' delivered ceiling prices.

FINDINGS OF THE DIRECTOR

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all of the applicable provisions of that Act.

In the formulation of this regulation there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

The specifications and standards used in this regulation were, prior to the issuance of the regulation, in general use in the industry. Every effort has been made to conform this regulation to existing business practices, cost practices and methods, and means and aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in business practices, cost prac-

tices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

REGULATORY PROVISIONS

- - Wholesalers' and retailers' celling prices.
- Allowance for sacks and cacking. Petitions for amendment.
- 7. Adjustable pricing. 8. Excise taxes.
- 9. Transfer of business.
- 10. Records.
- 11. Interpretations.
- 12. Compliance and enforcement.
- 13. Definitions.

AUTHORITY: Sections 1 to 13 issued under sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U.S. C. App. Sup. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

Section 1. What this regulation does (a) Coverage. This regulation establishes ceiling prices for sales by processors, jobbers, wholesalers and retailers of the brewers' dried products listed in section 2. For the products and sellers covered, this regulation supersedes the General Ceiling Price Regulation (GCPR) and Supplementary Regulation (SR) 18, Rev. 1 to the GCPR.

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(b) Geographical applicability. regulation applies in the 48 States of the United States and the District of Columbia.

(c) Exemptions. This regulation does not aply to:

 Export sales and sales for export. These sales are covered by Ceiling Price Regulation 61.

(2) Sales of imported brewers' dried products. These sales are covered by Ceiling Price Regulation 31.

(3) Brewers' specialty products (as defined in section 13 (c) (4) Sales of such products are covered by the General Ceiling Price Regulation and Supplementary Regulation 7 thereto.

SEC. 2. Processors' ceiling price, per ton, bull:. If you are a processor, your ceiling price for brewers' dried grain, malt dried grain, malt cleanings, malt hulls and malt sprouts are as follows:

(a) Deliveries in carload shipments containing 24 percent or higher protein content. Your celling price for a product containing 24 percent or higher protein content in a carload shipment or a pool carlot is the applicable price specifled in Table 1A. The term, "transportation cost," used in this Table is defined in section 13 (d) (4).

In area	Ceiling price f. o. b. plant 1	Delivered ceiling price *
Δ	Chicago, Ill., besing point price, plus lawest pro- portional grain products rail rate from Chicago to plant.	Chicago, Ill., became point price, plus lowest pro- portional grain products tall rate from Chicago to point of delivery in Area A except: On chap- ments from St. Louis, Mo., add St.20 per ton.
В	St. Louis, Mo., basing point price, plus \$2 per ton, plus the lowest proportional grain products rail rate from St. Louis to plant.	St. Louis, Mo., bacing point pince plus S2 per ton. plus the lowest proportional grain products mil mate from St. Louis to point of delivery in Arca B.
C	Chicago, Ill., basing point price, plus \$5 per ten	F. o. b. plant price, plus "transportation cost" from the plant to point of delivery in Area C.
D	(a) For plants located at a basing point in Area D: the price listed in Table In for the basing point at which the plant is located. (b) For plants located at other points: the basing point price at Milwaukee, Wis., or Minneapolis, Minn., whichever is closer by the chartest rail- road route.	(a) For deliveries at a bacing point in Area D: the price Lited in Table In for the bacing point at which delivery to made. (b) For deliveries at other points in Area D: F.o.b. plant price plus "maniporation cots" from the plant to the point of delivery in Area D.
E	(a) For plants located at a being point in Area Ethe price listed in Table In for the basing point at which the plant is located. (b) For plants located at other points: the basing point price at St. Louis, Mo., or Minneapolis, Minn., plus lowest applicable carbod rail rate from the basing point to the plant, whichever results in the lower f. o. b. plant price.	(c) For deliveries at a bacing point in Area E from plants not liceted at that bacing point; the prace liceted in Table In for the bacing point at which delivery is made. (b) For deliveries at other points in Area E: F.o.b. plant price, plus "transportation cost" from the plant to the point of delivery in Area E.

Applies only to delivery made within switching limits of the railroad point at which plant is located.
 Applies to all deliveries in the designated area regardless of processor's plant location.

TABLE IS-BASING POINT PRICES

TABLE IN-BASING	POINT PRICE	۵
Basing point	Brewers' dried grains (24 percent or higher protein content)	Malt dried grain, malt claudiers, malt hulls, and malt spreats (21 percent or higher protein content)
Chicago, III. Milwankee, Wis. Peoria, III. St. Louis, Mo. Kansas City, Mo. Minneapolis, Minn Omaha, Nebr.	834,00 64.00 64.00 64.00 62.00 64.00	\$2.00 \$2.00 \$2.00 \$2.00 \$2.00 \$2.00

(b) Less than 24 percent protein content. If you sell a brewers' dried product listed in section 2 of less than 24 percent protein content, calculate your celling price by deducting from the price specified in paragraph (a) of this section for 24 percent protein content, \$1.00 per ton for each unit of protein, or fraction thereof, by which the lot has less than 24 percent protein content.

(c) L. C. L. differential. For deliveries in less than carload lots, your ceiling price is the applicable price specified in paragraphs (a) or (b) of this section, plus. \$1.00 per ton.

SEC. 3. Jobbers' ceiling prices. If you are a jobber, your ceiling price for a lot of brewers' dried products listed in section 2, delivered at any point, is the processor's ceiling price for that lot at the same point, as determined under section 2, plus the applicable markup set forth in Table II.

TABLE II—JONES' MARKUPS

	Markup
Type of delivery made by jobber:	per ton
Deliveries in pool car lots	\$2.25
All other deliveries	2.00

SEC. 4. Wholesalers' and retailers' ceiling prices. (a) If you are a whole-saler or a retailer, your ceiling price for a brewers' dried product listed in section 2 is your "cost at ceiling" (as determined under paragraph (b) of this section) plus your "transportation cost" (as defined in section'13 (d) (4)) if any from your warehouse or store, plus the applicable markup set forth in Table III.

TABLE III—WHOLESALERS' AND RETAILERS' MARKUPS

| Markup per ton | \$5.00 | Retailers | 9.00 |

(b) Except as provided in paragraph
(c) in this section, determine your "cost at ceiling" for a brewers, dried product by the following methods:

(1) Method 1. If you maintain the identity of any receipt, then, on the sale of such receipt, you may use as your "cost at ceiling" your supplier's ceiling price for that receipt at the rail point nearest your warehouse or store plus your transportation cost, if any, from that rail point to your warehouse or store. You may use this method of determining your "cost at ceiling" even though you are simultaneously determining your "cost at ceiling" for resale of other receipts under Method 2.

(2) Method 2. You may use this method for the resale of any two or more receipts. In using it, you may not include in your calculations any receipt whose identity is maintained and for which you determine your "cost at ceil-

ing" under Method 1.

For receipts in bulk, use as your "cost at ceiling" the weighted average of your suppliers' delivered ceiling prices at the rail point nearest your warehouse or store plus your transportation costs, if any, from that rail point to your warehouse or store. Determine your "cost at ceiling" for receipts in sacks by the same method. You calculate each weighted average of ceiling prices as follows:

- (i) Select a day for calculation and recalculate on that day each week thereafter (or, in case that day falls on a legal holiday, recalculate on the next business day)
- (ii) Make your first calculation under this Method 2 as follows:
- (a) Step 1. Take your latest receipt prior to the day of calculation delivered to you on the basis (sacked or bulk) for which you are calculating a weighted average of ceiling prices, and all receipts delivered to you on the same basis for the 28 days preceding that last receipt.
- (b) Step 2. Multiply the number of tons of each receipt by your supplier's ceiling price per ton for that receipt at the rail point nearest your warehouse or store and add to this amount your transportation costs, if any, from that rail point to your warehouse or store.
- (c) Step 3. Add the results obtained under Step 2 and divide by the total number of tons involved in your calculations. The result is the "cost at ceiling" for the first week for all sales of that brewers' dried product (except, of course, for sales for which you elect to determine your ceiling price under Method 1)

(iii) Follow the directions of subdivision (ii) of paragraph (b) (2) of this section for all weekly calculations except that you use your last receipt prior to the day of recalculation and all receipts during the 14 day period preceding such last receipt in arriving at your "cost at ceiling."

(iv) If you wish to discontinue using this Method 2 for a brewers' dried product, you may do so if, on the next recalculation day you take an inventory of the product. You may then treat the amount in inventory (excluding any receipts priced under Method 1) as a receipt on which your "cost at ceiling" is the weighted average price you would compute under this Method 2 for the succeeding week. If some of your receipts are bulk and some sacked, calculate separate weighted averages for these two types of receipts.

(c) Only one markup by a wholesaler, is permitted under this regulation in connection with the sale of any brewers' dried product. Accordingly if you are a wholesaler and you buy a receipt which another wholesaler has handled, your ceiling price for such receipt is your supplier's ceiling price to you for the receipt plus your transportation costs, if any to and from your warehouse or store. You must, of course, exclude such receipt from your calculations of any "cost at ceiling" under paragraph (b) of this section.

Sec. 5. Allowance for sacks and sacking. (a) If you are a processor and you sell and deliver a brewers' dried product in your sacks, or if you are a wholesaler or a retailer and you sack a brewers' dried product which you buy in bulk, you may add to your ceiling price, as otherwise determined under this regulation, \$1.00 per ton plus the lower of the following:

(1) An amount consisting of the cost per sack of your most recent customary furchase of sacks of the kind, size, and condition (new or used) used for the lot, multiplied by the number of sacks furnished per ton of the brewers' dried product you deliver or

(2) The applicable allowance set forth in Table IV

TABLE IV—SACKING ALLOWANCES PER TON

	New sacks		Used sacks	
Type and size of bag	73/2	10	754	10
	ounces	ounces	ounces	ounces
Burlap:	\$3.75	\$4.75	\$3.10	\$3.50
40 x 54	5.00	6.25	4.20	4,60
40 x 76	4.75	6.50	4.60	5.00
45 x 62	5.00	6.60	4.65	5.05
45 x 63	5.15	6.80	4.75	5.15
45 x 65 45 x 66 45 x 70 45 x 74	5. 25 5. 50 5. 80	6.90 7.25 7.60	4.80 5.00 5.20	5. 20 5. 40 5. 60

	New sacks	Used sacks
Cotton: 40 x 53	\$5.40 7.50 3.50 3.75	\$3.50 4.70

(b) If you sack a lot of brewers' dried product in sacks furnished by your

buyer, you may add \$1.00 per ton to your ceiling price for the lot in bulk, as otherwise established under this regulation.

SEC. 6. Petitions for amendment, If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1, Revised (16 F. R. 4974)

SEC. 7. Adjustable pricing. Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at the time of delivery or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, deliver or agree to deliver at a price to be adjusted upward in accordance with any increase in ceiling prices after delivery.

Sec. 8. Excise taxes. If you have customarily separately stated and collected any excise or similar tax, you may continue to collect the current amount of any such tax in addition to your ceiling price. If you did not customarily state and collect separately from the purchase price the amount of tax paid by you, you may not collect the amount of such tax in addition to your ceiling price. In the case of such tax imposed after the effective date of this regulation, if at the time you calculate your ceiling price the statute or ordinance imposing the tax does not prohibit you from stating and collecting the tax separately from the purchase price, you may collect in addition to your ceiling price, the amount of the tax actually paid by you. In every case where the tax is collected from the purchaser, the amount thereof shall be separately stated.

SEC. 9. Transfer of business. If, after the effective date of this regulation, you acquire the business, assets or stock-intrade of any brewers' dried product business and carry on the business or continue to deal in any brewers' dried product separately from any other establishment previously owned or operated by you, you shall have the same ceiling prices and be under the same obligation to keep records as the person from whom you acquired the business, assets or stock. If, after the effective date of this regulation, you transfer your business, assets or stock, you must either preserve and make available, or turn over to the transferee all records which are necessary for him to comply with the ceiling price or record provisions of this regulation.

SEC. 10. Records—(a) General. Except as otherwise provided in this section, every person who sells and every person who in the course of business buys a brewers' dried product shall keep for inspection by the Office of Price Stabilization for a period of two years accurate records of each sale or purchase made after the effective date of this regulation.

(b) Sales. Every person making a sale under this regulation (except sales to feeders of lots of less than 1,000 pounds) shall keep the following record of each such sale. Such record must be made part of the invoice or bill of sale

and a copy given to the buyer; except that the record of sales to feeders does not have to be in the form of an invoice or bill of sale, but upon demand must be given to the feeder. Every sales record must state: the name and address of the seller and buyer; the date of sale and delivery the kind of brewers dried product and its protein content; the selling price. Except for sales of 5,000 pounds or less to a feeder, sales records must also contain the following information:

(1) Sales by processors. Record the applicable basing point and the basing point price, except that processors located in Area C record the f. o. b. plant ceiling price; the transportation cost allowable for the sale under section 2 (a) the charge if any made for sacks and sacking, and the differential allowed for L. C. L. sales, if applicable.

(2) Sales by 30bbers. The processor's ceiling price at the jobber's point of delivery, the location of the processor's plant, and any markup allowed by the regulation which is added by the seller.

(3) Sales by wholesalers and retailers. The seller's "cost-at-celling" as determined under section 4, the charge, if any, made for sacks and sacking, and any markup allowed by the regulation which is added by the seller.

(c) Purchases. Every person other than a feeder making a purchase in the course of trade or business must keep the records which his seller is required to give him under this section.

SEC. 11. Interpretations. If you want an official interpretation of this regulation, you should write to the District Counsel of your local Office of Price Stabilization District Office. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation No. 1, Revised.

SEC. 12. Compliance and enforcement—(a) Prohibitions. You shall not do any act prohibited or omit to do any act required by this regulation nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above) you shall not, regardless of any contract or other obligation, sell or deliver and no person in the regular course of trade or business shall buy or accept delivery from you at a price higher than the ceilmg price established under this regulation; and you shall make and preserve true and accurate records required under

this regulation.
(b) Evasions. Any device which results in obtaining indirectly a higher price than is permitted under this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to devices making use of commissions services, cross sales, transportation arrangements, premiums, discounts, special privileges, tie-in-agreements, trade understanding, as well as omission from rec-

ords of true data and inclusion in the records of false data.

(c) Penalties. If you violate any provisions of this regulation, you are subject to criminal penalties, civil enforcement actions and suits for damages provided by the Defense Production Act of 1950, as amended.

SEC. 13. Definitions. When used in this regulation, the following terms shall have the following meanings:

(a) Areas. (1) "Area A" includes Michigan, the area East of the Illinois-Indiana state line, and North of the Ohio River to Kenova, West Virginia; and North of the Norfolk and Western Railroad line from Kenova, West Virginia to Roanoke, Virginia and that area North of the Virginian Railway from Roanoke, Virginia to Norfolk, Virginia.

(2) "Area B" includes the states of Arkansas, Louisiana, Oklahoma and Texas and that area located south of Area A, east of the Mississippi River.

(3) "Area C" includes the states of California, Washington and Oregon.

(4) "Area D" includes the states of Minnesota and Wisconsin.

(5) "Area E" includes the states of Illinois, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada and Arizona.

(b) Sellers and related terms. "Jobber" means, with respect to any lot, a person other than the processor who sells such lot without having previously unloaded it into a warehouse or store.

(2) "Feeder" means, with respect to any lot, a person who uses such lot for feeding animals or poultry.

(3) "Processor" means, with respect to any lot, the person who manufactures that lot from the residue obtained in the manufacture of wort for beer or the manufacture of malt.

(4) "Retailer" means a person, other than the processor who maintains a "store" and who, with respect to any lot he has purchased and unloaded into the store, resells such lot to a feeder.
(5) "Sale and delivery" means the sale

or delivery, and offers to sell or deliver.

(6) "Store" means a building where a regular business of selling and delivering feeds or grain is carried on, and where the owner or one or more of his employees works on substantially a fulltime, year-round basis in such business or in a general retail business of which such feed or grain business is a part.

(7) "Wholesaler" means, with respect to any lot:

(i) A person, other than the processor. who, after having unloaded it into a warehouse or store, sells such lot to anyone other than a feeder; or

(ii) A person other than the processor. who does not maintain a store and who, after having unloaded it into a place of business other than a store, sells such lot to a feeder.

(8) "You" means a person subject to this regulation.

(9) "Your supplier" means the person from whom a wholesaler or retailer purchases the lot for which he is establishing a ceiling price.

(c) Products. (1) "Brewers' dried grains" are the dried extracted residue of barley malt alone, or in mixture with other cereal grain or grain products, resulting from the manufacture of wort for beer or syrup.

(2) "Malt sprouts" are the sprouts of the barley grain obtained from malted barley. Sprouts derived from any other malted cereal must be designated by the

name of the cereal.
(3) "Malted dried grain, malt cleanings and malt hulls" are the byproducts resulting from the manufacture of malt.

(4) "Brewers' specialty products" are feed products manufactured from the products listed in subparagraph (1) (2) or (3) of this paragraph to which other ingredients have been added.

(d) Miscellaneous. (1) "Carload shipment" means a lot which, when shipped by rail, takes a carload rate under the applicable railroad tariff requirements and includes mixed car shipments taking such rate.

(2) "Pool car lot" means a lot being shipped to the buyer as part of a rail carload chipment of products sold by one saller to two or more persons.

(3) "Less-than-carload lot" any lot other than a pool car lot which is less than a carload shipment. It includes any delivery by or into a truck.

(4) "Transportation cost" means:

(i) When a common carrier, contract carrier, or other carrier for hire or compensation is employed, the charges (exclusive of loading charges not customarily in such transportation charges) which are actually incurred by the seller or the purchaser, as the case may be. This amount may include, if applicable, the 3 percent transportation tax.

(ii) When the seller or purchaser, as the case may be, does his own hauling, the reasonable value of the transportation service (exclusive of loading) not exceeding the lawful common carrier or contract carrier rate for the same service or any ceiling price established by the Office of Price Stabilization for such service.

(iii) When any movement involves a combination of the types of transportation described in subdivisions (i) and (ii) of this subparagraph, the sum of the amounts computed separately for each portion of the movement.

(5) "Person" includes any individual, corporation, partnership, association or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States or any other Government or their political subdivisions or agencies.

(6) "Unit of protein" means one percent of protein content.

Effective date. This regulation becomes effective February 13, 1953.

Note: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

> JOSEPH H. FREEHUL. Director of Price Stabilization.

JAMUARY 30, 1953.

[P. R. Doc. 53-1157; Filed, Jan. 30, 1953; 12:59 p. m.]

[Ceiling Price Regulation 186]

CPR 186—RELAYING RAIL AND USED TRACK ACCESSORIES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation 186 is hereby issued.

STATEMENT OF CONSIDERATIONS

Introduction. Relaying rail is currently priced under the General Ceiling Price Regulation (GCPR) along with used track accessories. Relaying rail is simply used rail which is suitable for use in track, instead of for rerolling (into smaller rails or split into bar shapes) or scrap. Sometimes rail which is suitable for reuse in track is also used for mine props, ship launching rails, etc. Both rerolling rail and scrap rail are subject to Ceiling Price Regulation (CPR) 5. Normally, all but a small portion of relaying rail originates from the Class I railroads and Class I switching lines. These railroads themselves, of course, keep relaying their own rails into low speed track or sidings and do not put all of it on the market. The rails vary in weight, construction and section and are generally interchangeable with one another. Most relaying rail for use in other than mining or logging work is of at least 65 pounds per yard. The used track accessories, which include joint' bars, tie plates, track spikes and track bolts, are normally sold along with the relaying rail, except for sales by warehouses where less-than-carload quantity sales cause accessories to be sold at a price higher than rail.

Need for regulation. For some time several large Class I railroads, which were frozen with below average ceiling prices, have complained about the lack of uniformity in prices for the identical rail. These railroads have not released as much relaying rail for sale as they might otherwise have done in the normal course of business, thus, causing a shortage of such rail. This situation has been heightened by the fact that the National Production Authority (NPA) has been forced to reduce the allotment of new rails for the Class I railroads in order to meet the priority purchases of the defense agencies. The less new rail which a railroad can obtain, the less relaying rail the railroad will release.

The unwillingness of railroads to sell directly to military procurement agencies because of difficulties involved in sorting, segregating and providing rail which will satisfy the specifications of military procurement regulations has caused at least one reseller to be injected into most sales of relaying rail. This reseller inspects, sorts out or attempts to sort out, rail of the required quality. For this added service and handling, frequently in small lots, he is entitled to a markup. However, many resellers are warehousers who bring the rail into their warehouses, segregate it, re-condition it and stock it for ultimate resale in usually less-than-carload lots. Prior to price control, these resellers have naturally maintained a price level higher than the dealer who usually ships direct from an accumulation point at

the point of origin of the rail and performs few, if any, reconditioning services. Practically all dealers in relaying rail have high GCPR prices, often based upon sales out of warehouse stock. Thus, such a dealer, under the GCPR, has been using his warehouse price whether he ships directly to a consumer from the rail line or from his warehouse.

Because of this unrealistic price pattern many short line railroads and government agencies have had to pay unreasonably high prices—often in excess of new rail. As an alternative, the military procurement agencies have often insisted on buying the lower priced new rail. Thus, there has been a misdirection of new rail to uses for which relaying rail would be completely adequate.

One of the objectives of this regulation is to eliminate the possibility of recurrence of this situation.

What this regulation does. This regulation supersedes the GCPR and applies to sales of relaying rail and used track accessories at the three levels at which distribution normally takes place: railroads, dealers and warehouse resellers. Any other sellers must apply for the establishment of a price.

While any weight of relaying rail per yard is included in the coverage of the regulation, rail of 60 pounds per yard and less may be sold only at prices established by the Office of Price Stabilization upon application by the prospective seller.

The pricing method. In establishing ceiling prices for relaying rail under this regulation, essentially two pricing methods are used for the three classes of sellers. A flat dollars-and-cents ceiling shipping point price is provided for railroads and dealers. A formula is used to determine the ceiling shipping point price for warehouse resellers. The price established for railroads represents approximately the GCPR base period price level for railroads selling the bulk of relaying rail.

The ceiling price for dealers contains a markup of \$5.00 per ton over the railroad ceiling price which the industry members indicate allows the dealer a fair and equitable margin of profit for the service he renders and the cost of handling. The collection of data has been limited and any information obtained from future collection of data will result in OPS changing the markup, if a need appears, to reflect the more accurate information which may come from additional data. There is no customary industry markup. Consequently the Herlong Amendment is inapplicable to this industry.

A formula for establishing the ceiling prices of relaying rail and used track accessories separately has been provided for warehouse resellers. This formula takes into consideration the cost of the rail, the cost of transportation and a markup. In this case also the Herlong Amendment is inapplicable because there has been no customary markup utilized in the industry. Rather, such sellers have sold at the best price the market affords. The markup reflected in the formula amounts to approximately 25 per cent on cost for rails and 50 per cent on cost for used track acces-

sories. These markups were represented to OPS by Industry Advisory Committee members to allow for warehousing services and a fair and equitable margin of profit for the warehouser. Again, the data collected to support the use of these particular markups is limited. Should further collection of data indicate that changes should be made in these markups, such changes will be made where justified.

The railroads and dealers will use the same ceiling prices for relaying rail as for used track accessories. This has been the normal practice and acceptable to both industries. However, the warehouse resellers have customarily made differentials based on the quantity of purchases of material. The cost involved in the distribution of small lots of accessories has been such that they have normally commanded a price higher than that paid for rail. While it has been inadvisable to complicate the regulation by allowing for every possible extra or providing for precise differentials which a warehouse reseller might ordinarily use in determining his selling price, the amount of the markup for accessories is sufficiently high to be fair and equitable to the industry.

The f. o. b. shipping point method of pricing has been adopted under this regulation in spite of the fact that a basing point system on the order of that used in the iron and steel scrap regulation was used during World War II by the Office of Price Administration (OPA) Criticisms of the basing point system were many. Therefore, in the light of experience of administration of price control of relaying rail by OPA, and in view of the widely scattered and unprodictable sources of material and points of consumption, resulting in complete geographical decentralization, the present f. o. b. method was considered the most effective for use today.

The regulation, being based upon pure shipping point prices, provides an allowance to be deducted from the ceiling shipping point price in all cases unless the seller places the material f. o. b. railroad cars or f. a. s. vessel. This allowance represents a fair and equitable amount for loading and hauling by the purchaser. The difficulty of such loading and heavy weight of the individual pieces of rail was taken into consideration in setting the amount of this deduction.

Findings of the Director of Price Stabilization. In the judgment of the Director of Price Stabilization the provisions of this ceiling price regulation are generally fair and equitable and are necessary to effectuate the purpose of the Defense Production Act of 1950, as amended.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability. In the judgment of the Director the provisions of this regulation comply with all of the requirements with respect to the establishment of ceiling prices set forth in the Defenso Production Act of 1950, as amended.

In the formulation of this regulation there has been consultation with defense agencies and industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In particular, the Director has consulted with the Industry Advisory Committee with respect to the trade practices, prices and charges used in the regulation and the coverage of this regulation and has, in general, adopted the recommendations of the committee.

The provisions of this ceiling price regulation and their effect upon business practices, cost practices, or means or aids to distribution in the industry have been considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and effectuate the policies of the act.

REGULATORY PROVISIONS

Scope of REGULATION

Sec.

- 1. What this regulation does.
- 2. Geographical application.

PRICING PROVISIONS

3. General pricing provisions.

PART I-SALE OF MATERIAL BY RAILROADS

- 4. Definition of railroad.
- Ceiling prices of material sold by a railroad.

PART-II-SALE OF MATERIAL BY DEALERS

- 6. Sale of material by a dealer.
- 7. Ceiling shipping point price of material sold by a dealer.

PART III—SALE OF MATERIAL BY WAREHOUSE RESELLERS

- Warehouse resellers as sellers of material.
 General instructions for determining celling shipping point prices for resellers.
- How to determine the ceiling shipping point price for the sale of material by resellers.
- How to determine the components of the reseller's ceiling shipping point price.

GENERAL PROVISIONS

- 12. [Reserved].
- 13. Ceiling shipping point prices for sellers and rail not covered by any other sec-
- 14. Ceiling prices for export material.
- 15. Removal of material by purchaser.
- 16. Celling delivered prices and additional charges.
- 17. Weights to govern.

MISCELLANEOUS PROVISIONS

- 18. Transfers of business or stock in trade.
- 19. Less-than-ceiling prices.
- Prohibitions against dealing in material at prices above ceiling.
- 21. Records and reports.
- 22. Evasion.
- 23. Enforcement.
- 24. Petitions for amendment.
- 25. Definitions.

AUTHORITY: Sections 1 to 25 issued under sec. 704, 64 Stat. 816 as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SCOPE OF REGULATION

Section 1. What this regulation does.
(a) (1) This regulation establishes celling prices for all sales and deliveries, including export sales and sales for export, by any person of relaying rails and used track accessories.

(2) The term "relaying rail" is defined in section 25 (n) and "used track accessories" are listed in section 25 (r). Hereafter in this regulation, when mentioned separately, relaying rail will be referred to as "rail" and used track accessories will be referred to as "accessories." When either the expression "rail and accessories" or "rail or accessories" are meant, the term "material" will be used hereafter in this regulation.

(b) (1) This regulation removes the transactions described in paragraph (a) above from the coverage of the General Ceiling Price Regulation (GCPR)

(2) To facilitate use of this regulation, the pricing sections are divided into three parts: I—Ceiling prices for railroads; II—Ceiling prices for dealers, and III—Ceiling prices for warehouse resellers.

(3) The term "railroad" in this regulation is explained in section 4. The term "dealer" is defined in section 6, and the term "warehouse reseller" is defined in section 8.

(c) This regulation does not cover sales of material by importers, ceiling prices for which are established by Ceiling Price Regulation (CPR) 31.

Sec. 2. Geographical application. This regulation shall apply to sales and deliveries of material in the forty-eight states of the United States, its territories and possessions and the District of Columbia.

PRICING PROVISIONS

SEC. 3. General pricing provisions. (a) (1) The three pricing Parts which follow provide for the establishment of ceiling prices for the sale of material (exclusive of light rail) by three classes of sellers: Railroads, dealers and warehouse resellers. The term "material," as used in the three pricing parts which follow, does not include light rail unless specifically indicated.

(2) Railroads and dealers have a flat dollars-and-cents ceiling price for material. Warehouse resellers determine their ceiling prices each month by use of a formula. The formula allows one markup for rail and a different markup for accessories. A seller may be a dealer as to one lot of material and a warehouse reseller as to another lot.

(b) Ceiling prices for light rail must be established upon application by the seller to the Office of Price Stabilization in accordance with the provisions of section 13 of the regulation. The term "light rail" refers to any relaying rail which weighed 60 pounds or less per yard when new.

PART I-SALE OF MATERIAL BY RAILROADS

Sec. 4. Definition of "railroad" The term "railroad", as used in this regulation, refers to any railroad, terminal association or switching company which operates a railway line and derives at least a portion of its revenue from the carrying of freight. The term also in-

cludes cuburban and interurban electric railroads, street railways, and refrigerator car, stock car, sleeping car and tank car companies engaged primarily in the transportation business.

Sec. 5. Ceiling prices of material sold by a railroad—(a) Ceiling shipping point price. The ceiling shipping point price of material when sold by a railroad shall be \$64.00 per net ton, f. o. b. shipping point.

(b) Ceiling delivered prices. (1) The ceiling delivered price for material when sold by a railroad and delivered to a point on the line of the railroad is the price established under paragraph (a) of this section, plus one cent per ton per mile from the shipping point to the point of delivery.

(2) The ceiling delivered price of material when sold by a railroad and delivered to a point off the line of the railroad is the price established under paragraph (a) of this section, plus one cent par ton per mile on the line of the railroad and the actual cost of the transportation off the line of the railroad to the point of delivery by the means of transportation employed.

(c) If a seller covered by this section delivers material to a point off its line, such rail must be transported to such delivery point via the junction or transfer point, depending upon the means of transportation employed off the line of the railroad, nearest the point of delivery in terms of transportation charges for the means of transportation employed.

PART II-SALE OF MATERIAL BY DEALERS

Sec. 6. Sale of material by a dealer. A sale of any material covered by this regulation (including light rail) is made by a dealer when it is made by any person, except a warehouse reseller as defined in section 8 below, whose business includes the acquisition of material for the purpose of resale in substantially the same form. Material shall be considered as being sold in "substantially the same form" where the preparation, if any, of such material for resale includes only the following operations: Straightening, cropping and drilling.

Sec. 7. Ceiling shipping point price of material sold by a dealer. The ceiling shipping point price of material when sold by a dealer is \$69.00 per net ton f. o. b. shipping point.

PART III—SALE OF MATERIAL BY WAREHOUSE RESELLERS

Sec. 8. Warehouse resellers as sellers of material. You are a warehouse reseller (hereafter referred to in this regulation as a "reseller") for purposes of making a sale of material under this regulation only if you perform these operations commonly known as "warehousing" of material, which means the actual receipt and unloading of the material for resale in substantially the same form as received in premises regularly maintained by the reseller, but not a public warehouse) and equipped with facilities for performing such warehousing services as receiving, stocking, sorting, shipping, straightening, cropping and drilling and other like operations which are neces-

sary or incidental to the resale and distribution of material brought into the premises. A storage point or yard, not customarily operated as a "warehouse" is not a warehouse for purposes of this regulation.

SEC. 9. General instructions for determining ceiling shipping point prices for resellers. (a) In general, the ceiling shipping point prices for the sale of material by resellers is computed by finding the total of the reseller's weighted average material costs during a calendar month, the reseller's weighted average incoming transportation costs or customary incoming transportation cost factor for the calendar month, and a specified dollars-and-cents amount. Specific instructions are set forth in section 11 below which tell how to determine each of the components necessary in computing the ceiling price for material.

(b) You must determine your ceiling prices for material in accordance with applicable provisions of this Part III and apply them to your shipments in the following manner:

(1) You are required by this Part III to recompute your ceiling prices monthly. You must, at the close of each current calendar month, calculate your ceiling prices to be used beginning on the 16th of the following month by using the invoices received by you during the current calendar month. These ceiling prices apply to all of your shipments of material made between 12:01 a.m. of the 16th of the following month and midnight of the 15th of the next succeeding month. In the case of the month in which this regulation becomes effective. your calculated ceiling price will be effective from the effective date of the regulation to the 15th of the next month, based upon the invoices for the preceding month.

(2) For example, assume that this regulation becomes effective on or before February 16, 1953. Before that date you must determine your ceiling prices by using the invoices received by you between January 1 and January 31, 1953. inclusive. These ceiling prices apply to all shipments made by you after 12:01 a. m. on the effective date of the regulation, and before midnight of March 15. 1953. After February 28, 1953, and prior to March 16, 1953, you must recalculate your ceiling prices by using the invoices received by you between February 1, and February 28, 1953, inclusive, and these ceiling prices apply to all shipments made by you after 12:01 a.m. March 16, 1953 and before midnight April 15, 1953. Similar recalculations must be made after the close of each succeeding calendar month.

(3) Where the regulation requires you to go back, for the purpose of calculating your material cost factor, to the last calendar month for which your written records show invoices having been received by you, you may not go back prior to January 1, 1952. If you receive invoices during the current month, but prior to the current month, but prior to the current month you have received no invoices since January 1, 1952, you must use the ceiling price determined in accordance with the

provisions of section 11 (d) until the 15th of the following month after which you are required to use ceiling prices computed on the basis of the invoices received during the current month, as provided in paragraph (a) or (b) of section 10, whichever is applicable. You may not include in any cost computations under this regulation the amount by which the prices you paid for any material exceed the ceiling prices for such material established under the applicable section of this regulation.

(c) Separate warehouses. If you operate more than one warehouse, you must treat each warehouse as a separate reseller and must determine ceiling prices for each such warehouse on the basis of the costs of material delivered to it. Wherever the terms "you" and "reseller" are used in the provisions of this Part III, the terms are used to designate the warehouse from which shipment is made.

Sec. 10. How to determine the ceiling shipping point price for the sale of material by resellers—(a) When purchased from railroads. The ceiling shipping point price for the sale by resellers of material purchased from railroads is determined in the following manner.

(1) You find your monthly material cost factor in accordance with the provisions of section 11 (a) or (d) whichever is applicable.

(2) You determine your dollars-andcents markup in accordance with the provisions of section 11 (b) (The amount for rail will differ from that for accessories.)

(3) You determine your incoming This may be transportation factor. either your "customary incoming transportation factor," as defined in section 25 (c) (Definitions) or your monthly incoming transportation cost factor determined in accordance with section If you are a new seller you determine this factor under section 11 (d) Whichever transportation factor you first use in computing your ceiling prices under this paragraph must be used thereafter each time you recompute your ceiling prices, except as provided in section 11 (d)

(4) Add the figures arrived at in subparagraphs (1) (2) and (3) of this subparagraph, and the resultant sum is your ceiling shipping point price for material per net ton, f. o. b. shipping point. Your price for rall will differ from that for accessories.

(b) When purchased from other resellers or dealers as well as from railroads. (1) Where you have received shipments of material from sources other than a railroad, in addition to shipments received from railroad sources, you must calculate your ceiling shipping point price for all material in accordance with paragraph (a) of this section. You will notice that in determining your ceiling shipping point prices under this paragraph you will use only your invoices received from railroads.

(c) When purchased from other resellers or dealers and not from railroads.
(1) Where you are unable to determine the ceiling shipping point price of material in accordance with the provisions

outlined in paragraph (a) of this section because of the fact that all invoices for material received by you during preceding calendar months back to January 1, 1952, were from resellers or dealers rather than railroad sources, then you must use as your ceiling base price from which you determine your ceiling shipping point price under subparagraph (2) of this paragraph, the current ceiling shipping point price of the reseller who was your principal source of supply for the last preceding calendar month during which you received shipments. If you made purchases only from dealers since January 1, 1952, then you must use, as your ceiling base price, the dealers' shipping point price, as established under section 7 of this regulation. This ceiling shipping point price adopted from the other reseller or dealer, whichever is applicable, becomes your ceiling base price for all shipments made from the 16th of the month to the 15th of the following month. The "principal source of supply" is defined in section 25 (1) (Definitions) Your ceiling shipping point price is determined under subparagraph (2) of this paragraph.

(2) Your ceiling shipping point price under this subparagraph is the sum of the applicable ceiling base price, determined under subparagraph (1) of this paragraph, plus the amount which represents your monthly incoming transportation cost factor determined under section 11 (c) (2) or 11 (d), whichever is applicable.

(3) For so long as you are unable to determine your ceiling shipping point price under paragraphs (a) or (b) of this section, you must recalculate your ceiling base price and change your ceiling shipping point price accordingly each month under the provisions of this paragraph.

(d) Recalculation of ceiling prices.

(1) Except as provided in subparagraph.
(2) of this paragraph, the ceiling shipping point price for resellers must be recalculated each month in accordance with the applicable paragraph above and must be used in determining your ceiling shipping point price for all your shipments from the 16th of the month next succeeding the one for which the above calculations were made until the 15th of the following month.

(2) If, during any calendar month after the effective date of this regulation, you receive no invoices, your ceiling prices for the period beginning on the 16th of the following month must be the same as the ceiling prices which you last established under this regulation.

SEC. 11. How to determine the components of the reseller's ceiling shipping point price—(a) How to determine your monthly material cost factor You find your monthly material cost factor by computing the weighted average of the railroad base prices (see definition in section 25_(a)) you paid for material per net ton, as shown on all the invoices (if your invoices show gross ton costs, you must adjust to reflect net ton costs) received by you during the preceding calendar month (see definition in section 25 (k)) or the last calendar month subsequent to January 1, 1952, for which

you retain records showing invoices having been received from railroads for material, disregarding the invoice date and the actual shipping and receiving dates.

Example: Suppose you received the following invoices for 500 net tons of material during the preceding calendar month:

> 100 N. T. @ \$67.75 120 N. T. @ 67.50 280 N. T. @ 70.00

_ 500 N. T.

Analyzing these net prices (see definition in section 25 (h)) you establish the fact that you paid three different base prices to the railroads:

120 N. T. @	\$61.50\$6, 150 63.757, 650 60.7517, 010

__ 500 N. T. 30,810

Dividing \$30,810 by 500 tons results in your material cost factor for the month of \$61.52 per net ton.

(b) Your dollars and cents markup. Your dollars and cents markup is \$16.00 for rail and \$32.00 for accessories.

(c) How to determine your monthly incoming transportation cost factor (1) (i) You find your monthly incoming transportation cost factor by computing the weighted average transportation cost to you for all shipments applicable to the same invoices used in determining your monthly material cost factor under paragraph (a) of this section.

Example: Suppose you paid three different freight rates (including transportation tax) for your invoices of material:

Weight and rate per net ton

Total__ 500

of mat	terial:		:narge
	100 N. T. @	\$5.00	\$500
	120 N. T.	2.50	300
	280 N. T.	.8.00	2,240
		•	
Total	500		3,040

Dividing \$3,040 by 500 tons gives you an incoming transportation cost factor for the month of \$6.08 per net ton of material.

(ii) If the bills for transportation charges for any invoice are not available, as of the time you compute your costs, you must calculate the applicable transportation charge for the material covered by the invoice by using the published carrier rate (including taxes) for transporting the material involved from the shipping point shown on the invoice to your warehouse. In making this calculation you must use the rate for the kind of transportation by which the material was transported to your warehouse (e. g., railroad, truck or barge) in effect at the time you are computing your

ceiling price. (2) If you are computing ceiling shipping point prices in accordance with section 10 (c) (2) you find your monthly incoming transportation cost factor by computing the weighted average cost to you of transporting the applicable material from the various reseller or dealer sources of supply, whichever is applicable, to your warehouse. In computing this figure you must use all bills for transportation received by you during the last preceding calendar month in which you received invoices which are applicable to the shipments from these

sources, disregarding the invoice date, or the actual shipping and receiving dates of the material involved. If the bills for transportation charges for any invoice are not available, as of the time you compute your costs, you must calculate the applicable transportation charge for the material covered by the invoices by using the published carrier rate (including taxes) for transporting the material from the shipping point shown on the invoices to your warehouse. In making this calculation you must use the rate for the kind of transportation by which the material was transported to your warehouse (e. g., railroad, truck, or barge) in effect at the time you are computing your ceiling price.
(d) New sellers. If you have received

invoices during the current calendar month and prior to this time your written records show no invoices having been received from any source since January 1, 1952, you determine your cell-

ing prices as follows:

(1) Where you have received invoices from railroad sources, you must use the railroad base price of the material reflected in the last invoice you received prior to each sale, and the incoming transportation charges applicable to this invoice, as your material cost factor and your incoming transportation factor, respectively, and compute your ceiling shipping point price under section 10 (a) for shipments of the material covered by each invoice during the period extending through the 15th of the following month.

(2) Where you have received invoices only from sources other than railroads, your ceiling shipping point price for the sale of material is the sum of your current ceiling base price, determined under subdivision (i) of this subparagraph and your current transportation factor determined under subdivision (ii) of this subparagraph.

(i) Your current ceiling base price for material is the current ceiling shipping point price of the reseller who shipped to you the greatest tonnage of material as shown by all invoices received by you prior to the sale of the material.

(ii) Your current transportation factor is the weighted average of the freight charges applicable to all invoices referred to in subdivision (i) of this subparagraph. If the bills for transportation charges for any invoice referred to in subdivision (i) of this subparagraph are not available, you must determine your current transportation factor under paragraph (c) (1) (ii) of this section.

(3) You must use the ceiling prices computed in the manner prescribed under the applicable subparagraph above for all shipments made during the current month and until the 15th of the following month. In cases where you receive invoices prior to the 16th of the current month, it will mean using the ceiling prices determined under this paragraph for slightly more than one month. For shipments made on and after the 16th of the following month, you must determine your ceiling shipping point price under the applicable provisions of section 10 and compute the components of that price in accordance

with paragraphs (a), (b) and (c) of this section.

GENERAL PROVISIONS

Sec. 13. Celling shipping point prices for sellers and rail not covered by any other section. (a) If you are unable to determine your ceiling shipping point prices for material under any other section of this regulation, you must apply to the Office of Price Stabilization for a celling shipping point price. The applicant may not sell any material for which he makes application for a ceiling price under this section until the Director of Price Stabilization notifies him, in writing, of his ceiling shipping point price. This application shall be signed by the applicant or his duly authorized representative and shall contain an explanation of why the applicant is unable to determine his ceiling shipping point price under any other section of this regulation (e. g., why applicant is not a seller covered by sections 4, 6 or 8 or that applicant wishes to sell light rail) In addition, the application shall contain the following information: Trade name and address of the applicant: whether applicant is a railroad, dealer or reseller; identification of the accessories to be sold; specifications of the rail to be sold (including weight of rail per yard when new, profile number and length) approximate tonnage of material (broken down, if possible, into tonnage of rails and tonnage of accessories). proposed means of transporting the material, if known, and the charge per net ton for such transportation; the base price (see definition in section 25 (a)) of the material; point of origin of the material and from whom obtained; proposed point of delivery and purchaser; proposed ceiling shipping point price per net ton of the material: preparation necessary for resale, when prepared and by whom, and the reasons the applicant believes the proposed price of the material is in line with the ceiling shipping point prices otherwise established by this regulation.

(b) This application must be filed with the Iron and Steel Scrap Section, Office of Price Stabilization, Washington 25, D. C. by registered mail, return receipt requested.

SEC. 14. Ceiling prices for export material. The ceiling price for any export sale of material or for material sold for export shall be the ceiling shipping point price as established under the applicable section of this regulation, plus the actual charge for transporting the material from the shipping point to the place of export by means of transportation employed: Provided, however That for material exported by vessel, this ceiling export price shall be f. a. s. vessel at the place of export, and the actual cost mcidental to shipment and export from that point may be added if shown as a separate charge on the invoice.

SEC. 15. Removal of material by purchaser. A deduction of not less than \$4.00 per net ton must be deducted from the ceiling price for sale of any material determined in accordance with the applicable provisions of this regulation unless the seller places the material f. o. b. railroad cars or f. a. s. vessel for shipment to the destination designated by the purchaser.

Sec. 16. Ceiling delivered prices and additional charges—(a) Ceiling delivered prices. Except as provided in section 5 (b) the ceiling delivered price of material is the ceiling shipping point price established under the applicable section of this regulation, plus the actual charge for transporting the material from the shipping point to the point of delivery by means of transportation employed.

(b) Additional charges which may be included in ceiling delivered prices. If delivery of material to the purchaser involves vessel movement, the actual charges incurred at a public dock may be added to the applicable ceiling delivered price established under this regulation: Provided, however The maximum charge shall be 95 cents per net ton at Memphis, Tennessee, \$1.50 per net ton at any Great Lakes port, or \$1.75 per net ton at any New England port. Where the dock facilities are owned or controlled by the shipper of the material, a maximum charge of \$1.25 per net ton may be added to the actual transportation charges.

(2) In the case of water movement by deck scow or railroad lighter, no established charges at the dock or any charge or cost customarily incurred at the dock may be included in the applicable ceiling delivered price determined under this regulation. In lieu thereof, a maximum charge of \$1.25 per net ton may be included in such delivered price.

(3) Where material is allocated by the National Production Authority for railroad shipment, and prior to the date of NPA allocation order such material has been stored at a dock for water movement, the dock charges set forth in subparagraphs (1) and (2) of this paragraph may be charged and paid as part of the applicable ceiling delivered price determined under this regulation.

(4) Any tax imposed upon the charges for transporting material from the shipping point to the point of delivery may be included in the applicable ceiling delivered price determined under this regulation.

Sec. 17. Weights to govern. (a) (1) Except as otherwise provided in this section, settlement for all material shall be made on the basis of railroad weights at the point of delivery and such weights shall be determined at the expense of the purchaser.

(2) No adjustment need be made for shortages of 500 pounds or less per car between shipping point weights and weights at the point of delivery. If the shortage exceeds 500 pounds per car, adjustment must be made for the full shortage.

(b) Vessel shipment. When shipment is wholly or partially by vessel, weights at the dock prior to vessel movement shall govern and such weights shall be determined at the expense of the seller. If the material moves from the shipping point to the dock by railroad and weights at the shipping point have been determined, no adjustment need be made for differences of 500 pounds or less per car between shipping point weights and

weights at the dock. If the difference exceeds 500 pounds per car, adjustment must be made for the full shortage.

(c) Sales by government agencies. Government agencies may, at their option, use either the weights at point of delivery as otherwise provided in this section, or the weights at point of shipment. Where weights at point of shipment are used, such weights shall be determined at the expense of the seller and in the following manner:

(1) Removal by rail. In the case of material removed by railroad, the actual tare weight of the railroad car shall be used instead of the marked tare in determining the net weight. The actual tare weight shall be determined by weighing the empty car, cleaned of all foreign matter, before loading.

(2) Removal by vessel. In the case of removal by vessel, weights at the dock prior to vessel movement shall govern.

(3) Removal by truck. In the case of removal by truck, weighing shall be at the option of the seller on (i) government scales, or (ii) certified scales in the vicinity of the location of the material.

MISCELLANEOUS PROVISIONS

Sec. 18. Transfers of business or stock in trade. If the business, assets or stock in trade of a reseller covered by this regulation are sold or otherwise transferred after the effective date of this regulation. and the transferee carries on the business, or continues to deal in the material covered by this regulation, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

Sec. 19. Less-than-ceiling prices. Lower prices than those established by this regulation may be charged, demanded, solicited, paid or offered.

SEC. 20. Prohibitions against dealing in materials at prices above ceiling. On and after the effective date of this regulation, regardless of any contract or other obligation:

(a) No person shall sell, deliver, buy or receive material, or agree, offer, solicit or attempt to do any of the foregoing at prices above those established in this regulation.

(b) No person shall sell or deliver material upon condition that the buyer shall sell or deliver to, or buy or receive from, any person any other commodity. No person shall buy or receive material upon the condition that he shall sell or deliver to, or buy or receive from, any person any other commodity.

(c) If any person subject to this regulation fails to prepare or keep any record or file any report required by this regulation in connection with the establishment of his ceiling price, or if any

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person subject to this regulation fails to establish a ceiling price or apply to to the Office of Price Stabilization for the establishment of a ceiling price; if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

Sec. 21. Records and reports. (a) Every person making a sale of material shall keep for inspection by the Office of Price Stabilization for two years after date of sale, complete and accurate records of each sale or purchase: The date thereof, the name and address of the buyer and seller, the shipping point price, a description of the rail (i. e., profile, weight when new), the kinds of accessory items and the tonnage, the method of transportation used from shipping point to point of delivery, and the delivered price, if sold on a delivered basis.

(b) Every warehouse reseller shall prepare and preserve for inspection by the Office of Price Stabilization for two years after date of sale all records necessary for calculation of his ceiling prices, including (but not limited to) records showing the base price of material, freight bills, and invoices.

(c) Buyers and sellers of material affected by this regulation shall submit such further reports to the Office of Price Stabilization as may from time to time be required, subject to the approval of the Bureau of the Budget under the Federal Reports Act.

Sec. 22. Evasion. The provisions of this regulation shall not be evaded by direct or indirect means.

Sec. 23. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for troble damages provided by the Defense Production Act of 1950, as amended.

SEC. 24. Petitions for amendment. Any person seeking an amendment of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revision 2.

SEC. 25. Definitions. This ceiling price regulation and the terms which appear in it shall be construed in the following manner.

(a) Base price of material. The base price of material means the fundamental base price per net ton charged by the railroad for material (not including light rail) before the addition of any extras such as transportation charges, dock charges, weighing charges or taxes, or \$64.00, whichever is less.

(b) Consumer This term refers to a purchaser of material covered by this regulation who uses the material for any of the purposes for which relaying rail is

customarily used, such as track, mine props and ship launching rail.

(c) Customary incoming transportation factor. This term means the customary incoming transportation factor which the reseller included in his warehouse resale price as of January 25, 1951, to represent the cost of delivery from the railroad to his warehouse. Where the factor was based upon a railroad freight rate, it may be adjusted by an amount not exceeding the amount by which the current minimum carload rate of freight, including transportation tax, exceeds the minimum carload rate of freight used to determine the reseller's transportation factor on January 25, 1951. Where the factor was based upon a trucking rate, it may be adjusted by an amount not exceeding the amount by which the current minimum common carrier truckload rate, including transportation tax, exceeds the minimum common carrier truckload rate used to determine the reseller's transportation factor as of January 25, 1951.

(d) Dealer. This term is defined in section 6.

(e) Export sale. This term means the sale of material to a person located outside the continental United States or a territory or possession of the United States, and which material is shipped to the purchaser outside the continental United States or a territory or possession of the United States regardless of where the invoicing is done.

(f) Sale for export. This term means a sale to a buyer, located in the continental United States or a territory or possession of the United States, of material destined for export and subsequent shipment, without resale, to any place outside the continental United States or a territory or possession of the United States.

(g) Imported material. This term refers to all material having a point of origin outside the continental United States or its territories or possessions.

(h) Net price. This term refers to the total prices charged for material (not including light rail) by a railroad including the railroad base price (see definition in paragraph (a) above) and all extras such as transportation and taxes.

(i) Person. This term includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States, or any other government, or their political subdivisions or agencies.

(j) Point of delivery. This term means that point at which the material has arrived for unloading at the pur-

chaser's receiving point.

(k) Preceding calendar month. This term means the calendar month immediately preceding the month in which the ceiling price the reseller is computing goes into effect.

(1) Principal source of supply. This term means the source from which the reseller received the greatest.tonnage of material during the specified period.

(m) Railroad. This term is defined in section 4.

(n) Relaying rail. This term means used steel rail (other than relaying girder

rail, scrap rail or rerolling rail) of any weight per yard which is suitable for reuse in track. (Note the "relaying rail" does not include rail which is used for rerolling purposes. The ceiling price for such rail must be determined under CPR 5, as amended.)

(o) Sale for export. This term is explained in paragraph (f) above.

(p) Sell. This term includes sell. supply, dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

(q) Shipping point. Material covered by this regulation is at its shipping point, in the case of all-rail, rail-vessel, railtruck, or truck-rail movement, when it has been placed f. o. b. railroad cars ready for shipment to the destination designated by the purchaser; in case of all-vessel, vessel-rail, vessel-truck, or truck-vessel movement, the material is at its shipping point when it has been placed f. a. s. vessel for shipment to the destination designated by the purchaser; and in the case of all-truck movement, the material is at its shipping point when it has been placed f. o. b. truck ready for shipment to the destination designated by the purchaser.

(r) Used track accessories. This term refers to railroad or mine track spikes, track bolts and nuts, tie plates and joint bars (which shall include rail joints, angle bars, splice bars and fish plates) of any size and weight capable of being used for relaying purposes or for any purpose for which new accessories are customarily used and which have been submitted to all reconditioning processes, if any, necessary to render them fit for re-use.

(s) Warehouse reseller. This term is defined in section 8.

"You," except as limited for (t) You. purposes of Pricing, Part III in section 9 (c) means the person subject to this regulation. "Your" and "yours" shall be construed accordingly.

Effective date. This regulation is effective February 16, 1953.

Note: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

> JOSEPH H. FREEHILL. Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1158; Filed, Jan. 30, 1953; 12:59 p. m.]

[General Overriding Regulation 7, Amdt. 17 to Revision 1]

GOR 7-EXEMPTION AND SUSPENSION OF CERTAIN FOOD AND RESTAURANT COM-MODITIES

EXEMPTION OF SALES OF BREWERS' WET GRAINS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to General Overriding Regulation 7, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 7, Revision 1, exempts from price control sales of brewers' wet grains.

Brewers' wet grains are the wet residue resulting from the manufacture of wort for beer. The wet grains are used either in the wet form for animal feeding or are processed into brewers' dried grains, or other dried feed products. The wet grains are highly perishable and are generally sold by processors to feeders or driers located within areas near the plant where they are produced. Because of their perishability the bulk of the wet grains are manufactured into brewers' dried feed products. Some of the smaller breweries sell all of their wet grains either to feeders or to other persons who do the drying.

Simultaneously with this amendment, the Director of Price Stabilization is issuing Ceiling Price Regulation 185, establishing dollar-and-cents ceiling prices for brewers' dried products. That regulation establishes new ceilings for those products which in general permit some increase over existing GCPR ceiling prices. It would be inequitable to allow a price increase for brewers' dried grains and not allow an adjustment in prices of wet grains, particularly since many small brewers sell all of their brewers' grains in the wet form. Owing, however, to the diverse methods of pricing wet grams, it is not feasible to establish a formula which will result generally in preservation of the customary price relationships between dried and wet grains. The wet grains are sold locally on a variety of bases including quantity of wet grains, quantity of beer production of which the wet grains are a by-product, quantity of barley furnished by the farmer, and others. Wet grains, moreover, represent an insignificant part of the total feed supply.

For these reasons, price control of brewers' wet grains involves administrative difficulties which are disproportionate in relationship to the effectiveness of their control or to their contribution to the price stabilization program.

There has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

ALIENDATORY PROVISION

General Overriding Regulation 7, Revision 1, is amended by adding a new subparagraph, subparagraph (8) to section 2 (f) to read as follows:

(8) Brewers' wet grains. (This means the wet extracted residue of barley malt alone or in mixture with other cereal grain or grain products resulting from the manufacture of wort for beer.)

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154)

Effective date. This amendment is effective February 13, 1953.

JOSEPH H. FREEHILL, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1159; Filed, Jan. 30, 1953; 12:59 p. m.]

[General Overriding Regulation 35, Amdt. 9]

GOR 35—Pass Through for Steel, Pig-Iron, Copper and Aluminum Cost Increases

ADDITION OF ELECTRICALLY OPERATED UN-DERGROUND COAL MINING MACHINERY TO APPENDIX C

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 9 to General Overriding Regulation 35 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds electrically operated underground coal mining machinery to Appendix C of GOR 35. The purpose and effect of listing certain commodities in this appendix are explained in detail in the statement of considerations which accompanied Amendment 1 to GOR 35. The same considerations apply to the issuance of this amendment. This amendment is occasioned by the issuance of Amendment 3 to General Overriding Regulation 42 (GOR 42) which provides for a 7 percent increase in ceiling prices for sale by manufacturers of electrically operated underground mining machinery, an adjustment which includes the materials cost increases. Since these are end products, no problem of any "pass through" beyond these manufacturers is involved.

Due to the nature of this amendment, special circumstances have made general consultation with industry representatives, including trade association representatives, impracticable. However, consultations with representatives of the electrically operated coal mining machinery industry were held prior to the issuance of Amendment 3 to GOR 42.

AMENDATORY PROVISIONS

General Overriding Regulation 35 is amended in the following respect:

1. Appendix C is amended by adding thereto in the appropriate columns the words listed below under the columns headed "Commodity" and "Regulation".

Commodity.

Regulation

Electrically operated underground coal mining

machinery_____ GOR 42, Sec. 23.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154)

Effective date. This amendment to General Overriding Regulation 35 is effective February 4, 1953.

> JOSEPH H. FREEHILL, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1160; Filed, Jan. 30, 1953; 12:59 p. m.]

[General Overriding Regulation 35, Amdt. 10]

GOR 35—Pass Through for Steel, Pig-Iron, Copper and Aluminum Cost In-Creases

ADDITION OF CAST-IRON BOILERS AND CAST-IRON RADIATION TO APPENDIX C

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 10 to General Overriding Regulation 35 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds cast-iron boilers and cast-iron radiation to Appendix C of GOR 35. The purpose and effect of listing certain commodities in this appendix are explained in detail in the statement of considerations which accompanied Amendment 1 to GOR 35. The same considerations apply to the This issuance of this amendment. amendment is occasioned by the issuance of Amendment 4 to General Overriding Regulation 42 (GOR 42) which provides for a 5 percent increase in ceiling prices for sale by manufacturers of cast-iron boilers and cast-iron radiation, an adjustment which includes the metals cost increases. Since these are end products, no problem of "pass through" beyond these manufacturers is involved.

Due to the nature of this amendment, special circumstances have made general consultation with industry representatives, including trade association representatives, impracticable. However, consultations with representatives of the cast-iron boiler and cast-iron radiation industry were held prior to the issuance of Amendment 4 to GOR 42.

AMENDATORY PROVISIONS

General Overriding Regulation .35 is amended in the following respect:

1. Appendix C is amended by adding thereto in the appropriate columns the words listed below under the columns headed "Commodity" and "Regulation".

Commodity Regulation

Cast-iron boilers and cast-

iron radiation_____ GOR 42, Sec. 24

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to General Overriding Regulation 35 is effective February 4, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1161; Filed, Jan. 30, 1953; 1:00 p. m.]

[General Overriding Regulation 42, Amdt. 2]

GOR 42—Adjustment Under the Industry Earnings Standard for Machinery and Related Manufactured Goods and Building Materials

RELATIONSHIP TO CERTAIN ADJUSTMENT REGULATIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 42 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds a new section to Article I of General Overriding Regulation 42, "General Regulatory Provisions," which new section deals with the relationship of adjustments permitted by the regulation to certain individual adjustment regulations.

It has been determined that certain individual adjustments granted under other regulations should be treated in a uniform manner with respect to the adjustments authorized by this regulation. Such adjustments include so-called "Capehart adjustments" (under SR 4, SR 5, or SR 8 to CPR 30; SR 17 or SR 18 to CPR 22; GOR 20 and GOR 21), hardship and essential commodity adjustments (under GOR 10 and GOR 29, respectively) and outbound transportation cost adjustments (under SR 9 to CPR 30; SR 35 to CPR 22; SR 122 to GCPR, etc.)

The reason for this determination is that the ceiling price increases provided for in General Overriding Regulation 42 are found to be necessary to meet the Industry Earnings Standard on the basis of ceiling prices in effect during the periods of time in which the various surveys are made. Therefore, to the extent that a particular industry's ceiling prices include adjustments obtained under any of the "Capehart regulations," or under GOR 10 or GOR 29, the percentage adjustments permitted by GOR 42 may be added to these ceiling prices. There is one exception to the concept of "ceiling prices in effect" which will apply to most industries now or subsequently covered by GOR 42. This exception concerns adjustments under the outbound transportation cost adjustment regulations. These adjustments generally may not be included in the ceiling prices adjusted under GOR 42 because the data supplied by members of each industry generally include increases in outbound transportation costs.

The relationship of adjustments under GOR 35 (Pass Through for Steel, Pig Iron, Copper and Aluminum Cost Increases) will be treated separately for each industry under the applicable section of Article II because the manner in which these adjustments are treated in each survey cannot be uniform.

Briefly, this new section provides that "Capehart adjustments" and adjustments under GOR 10 or GOR 29 may be included in the price adjusted under this regulation (the adjustment period price) but generally outbound transportation cost adjustments may not be included in this price. If there is any change in the relationship of outbound transportation cost adjustments to the adjustment authorized by this regulation for a particular industry, the applicable section of Article II will so specify.

In the formulation of this amendment special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

General Overriding Regulation 42 is amended in the following respects:

1. Article I is amended by adding a new section 5 to read as follows:

Sec. 5. Relationship of the adjustments authorized by this regulation to certain adjustment regulations. This section explains the relationship between the adjustments permitted by this regulation to certain individual adjustment regulations. In addition to this section special provisions dealing with other individual adjustment regulations, such as GOR 35, are contained in the sections of Article II.

(a) Capehart regulations. If your adjustment period price for any com-modity covered by this regulation includes an adjustment determined under any of the applicable "Capehart regulations" (SR 4, SR 5, or SR 8 to CPR 30; SR 17 or SR 18 to CPR 22; GOR 20 or GOR 21) you may further adjust such a price by the percentage adjustment provided by the applicable section of Article II of this regulation, unless that section provides otherwise. However, if your adjustment period price does not contain a "Capehart adjustment," you may elect to determine a "Capehart" adjustment instead of using the adjustment permitted by this regulation.

(b) GOR 10 and GOR 29. If your adjustment period price for any commodity covered by this regulation includes an adjustment which you have obtained pursuant- to GOR 10 (Adjustments of Ceiling Prices for Manufacturers) or GOR 29 (Adjustment of Ceiling Prices of Certain Essential Commodities and Services) you may further adjust such a price by the percentage adjustment permitted by this regulation. Further, if you qualify under either GOR 10 or GOR 29 after the applicable adjustment period provided by Article II of this regulation, you may then apply for an additional adjustment under either of those regulations.

(c) Outbound transportation costs. Unless the applicable section of Article II of this regulation provides otherwise, your adjustment period price for any commodity covered by this regulation may not include any adjustment you have determined under SR 9 to CPR 30, SR 35 to CPR 22, SR 122 to the GCPR (Adjustments to Reflect Increased Outbound Transportation Costs) or other similar regulations. If such an adjustment is included in the price for any commodity, you must reduce that price by the dollar amount of the outbound transportation cost adjustment before you may use it as an adjustment period price.

However, if increases in these costs occur after the applicable adjustment period, as provided in Article II, for any commodity covered by this regulation, you may determine an adjustment for these increases under the applicable regulation (SR 9 to CPR 30; SR 35 to CPR 22: SR 122 to GCPR. etc.)

(Sec. 704, 64 Stat. 816, as amended; 50 **U.S. C.** App. Sup. 2154)

Effective date. This amendment is effective February 4, 1953.

JOSEPH H. FREEHILL, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1162; Filed, Jan. 30, 1953; 1:00 p. m.]

[General Overriding Regulation 42, Amdt. 3]

GOR 42—ADJUSTMENT UNDER THE IN-DUSTRY EARNINGS STANDARD FOR MA-CHINERY AND RELATED MANUFACTURED GOODS, AND BUILDING MATERIALS

ELECTRICALLY OPERATED UNDERGROUND COAL MINING MACHINERY

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 3 to General Overriding Regulation 42 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds electrically operated underground coal mining machinery to the coverage of General Overriding Regulation 42. An industry earnings standard survey has recently been completed for this industry, and based upon data obtained from representative groups of manufacturers, it has been determined that, in order to bring the dollar profits of this industry up to the earnings standard approved by OPS, ceiling prices should be established at 107 percent of the industry's ceiling prices for these commodities which were in effect during the period November 1, 1952, to the issue date of this amendment. Such increased ceiling prices will be generally fair and equitable.

This adjustment reflects all increases in materials, wages, and transportation which are currently in effect. Furthermore, it reflects increases in certain materials which are likely to occur in the future as a result of General Overriding Regulation 35 (Pass Through for Steel, Pig Iron, Copper and Aluminum Cost Increases). Therefore, manufacturers of electrically operated underground coal mining machinery who use this adjustment may not adjust their ceiling prices under GOR 35. If they have already used GOR 35, they must deduct the amount of such an adjustment before taking the adjustment allowed by the amendment. However, the adjustment permitted by this amendment only reflects increases in outbound transportation costs, if any, occurring before the issue date. If increases in these costs occur in the future, an adjustment may be made for such increases pursuant to Supplementary Regulation 9 to Ceiling Price Regulation 30 or Supplementary Regulation 122 to the General Ceiling Price Regulation (Adjustments to Reflect Increased Outbound Transportation Costs) whichever is applicable. If these manufacturers have taken any adjustments under SR 9 to CPR 30 or SR 122 to the GCPR before the issue date of this amendment, they must deduct the amount of such adjustment before tak-

ing the adjustment permitted by this amendment.

The survey upon which this adjustment is based was effected by the use of a procedure designated "streamlined" by OPS, and since this procedure does not permit consideration of various factors which may be considered under a "full-scale" industry earnings standard survey, which necessarily requires more detailed data, and, therefore, a greater length of time to conduct, the members of this industry may at any time request OPS to conduct a full-scale survey.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable; are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended; and comply with the applicable standards of that act.

AMENDATORY PROVISIONS

General Overriding Regulation 42 is amended in the following respects.

Article II is amended by adding section 23 to read as follows:

Sec. 23. Electrically operated underground coal mining machinery—(a) Commodities included. Electrically operated underground coal mining machinery. transportation machinery. ventilating machinery including accessories and repair parts for these commodities. The commodities included in this classification must be designed specifically for use in coal mines, must be electrically operated and used exclusively underground for mining, for transportation in mines, or for ventilating mines. The following are illustrations of these commodities: Mining machines—Kerf cutting machines, loading machines, continuous miners, auger type rotary drilling machines, timber setting machines, post pullers; underground mine transportation machines mining locomotives, shuttle cars, belt conveyors, chain conveyors, shaker conveyors; underground mine ventilating equipment-ventilating fans specially designed and sold for use in mines, and stationary and portable ventilating blowers specially designed and sold for use in mines.

(b) Adjustment period price. The adjustment period price for any commodity included in paragraph (a) of this section is the highest ceiling price to each class of purchaser which was in effect during the period November 1, 1952 to January 30, 1953. A ceiling price is considered "in effect" if that ceiling price was properly determined in accordance with applicable OPS regulations prior to January 30, 1953.

(c) Percentage adjustment. The percentage adjustment for commodities included in this section is 107 percent.

(d) Relationship of the adjustment authorized by this section 23 to other adjustment regulations—(1) GOR 35. If you use the adjustment permitted by this section you may not include in your

adjustment period price any adjustment made under GOR 35 (Pass Through for Steel, Pig Iron, Copper and Aluminum Cost Increases) If your adjustment period price includes such an adjustment you must reduce it by the dollar amount of such an adjustment before using it as an adjustment period price under this section 23.

(2) Capehart regulations. See section 5, Article I of this regulation.

(3) Outbound transportation costs. See section 5, Article I of this regulation.
(4) GOR 10 and GOR 29. See section 5, Article I of this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154)

Effective date. This regulation is effective February 4, 1953.

JOSEPH H. FREEHILL, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1163; Filed, Jan. 30, 1953; 1:00 p. m.]

[General Overriding Regulation 42, Amdt. 4]

GOR 42—ADJUSTMENTS UNDER THE INDUSTRY EARNINGS STANDARD FOR MACHINERY, RELATED MANUFACTURED GOODS, AND BUILDING MATERIALS

ADDITION OF CAST-IRON BOILERS AND RADIA-TION TO COMMODITIES COVERED

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 4 to General Overriding Regulation 42 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to GOR 42 provides an interim adjustment of 5 percent in the ceiling prices for cast-iron boilers and cast-iron radiation.

At a meeting of the Cast-Iron Boiler and Radiation Industry Advisory Committee meeting on September 24, 1952, OPS was requested to conduct a "streamlined" earnings survey of the industry, the opinion of the members attending being that the level of earnings for the industry had fallen below that prescribed by the industry earnings standard. This standard requires that ceiling prices be adjusted for an industry if its current earnings fall below 85 percent of the average earnings of the three best years of 1946 through 1949, inclusive, adjusted for changes in net worth. The Committee recommended that the speedier "streamlined" earnings survey be used, as an interm measure of relief, rather than the more time-consuming if more detailed "full-scale" survey.

Consequently, the Office of Price Stabilization undertook such an earnings survey, as a result of which the Director of Price Stabilization has determined that in order for ceiling prices of the industry to meet the requirements of the industry earnings standard, and, therefore, to be generally fair and equitable, they would have to be increased to the extent provided by this action.

In computing this adjustment, OPS gave consideration, among other costs.

to increase in the cost of the metals listed in GOR 35, and to the increased cost of outbound transportation. For that reason, cast-iron boiler and cast-iron radiation manufacturers are precluded by this amendment from using either GOR 35 or SR 35 to CPR 22.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Article II of GOR 42 is amended by adding a new section 24 to read as follows:

Sec. 24. Cast-iron boilers and cast-iron radiation—(a) Commodities covered. The commodities covered by this section are defined as follows:

(1) A "cast-iron boiler" means any closed cast-iron pressure vessel designed to burn solid, liquid or gaseous fuels for the purpose of generating steam, or hot water for use in a heating system or for domestic hot water, whether actually so used or not. Without limiting the foregoing, the term includes jackets, grate bars, boiler trimmings and other attachments or accessories commonly sold with the boiler as a unit, or sold as repair parts.

(2) "Cast-iron radiation" means a tubular or hollow device constructed of cast iron which by means of internal circulation of high temperature vapor or liquid, emits heat from its external surface by means of conduction, radiation or convection. The term includes, without limiting the generality of the foregoing, radiators (whether a unit or a combination of sections) radiator sections, and accessories and enclosures used with cast-iron convectors and cast-iron baseboard radiation.

(b) Adjustment period price. The adjustment period price for any commodity included in paragraph (a) of this section 24 is the highest ceiling price to each class of purchaser in effect during the period October 1, 1952, to January 30, 1953, as established prior to the end of this period under SR 19 to CPR 22, or any other applicable regulation not excepted by paragraph (d) of this section.

(c) Percentage adjustment. The percentage adjustment for commodities included in this section 24 is 105 percent.

(d) Relationship of the adjustment authorized by this section to other adjustment provisions—(1) SR 17 SR 18 to CPR 22. On and after the date set forth in paragraph (e) of this section, and notwithstanding any provision of this section you may elect to apply the provisions of Supplementary Regulation 17 or Supplementary Regulation 18 to CPR_22 to establish your ceiling prices. If you do so elect, you may not use the provisions of this supplementary regulation.

(2) GOR 35. You may not employ any of the provisions of General Overriding Regulation 35 (pass-through for steel, pig-iron, copper and aluminum cost increases)

(3) SR 35 to CPR 22. Adjustments permitted by SR 35 to CPR 22 or SR 122

to the GCPR (adjustments to reflect increased outbound transportation rates) for increases occurring before the effective date of this section (see paragraph (e) of this section) may not be included in the adjustment period price for any commodity covered by this section. Further, if the price of the commodity in question during the adjustment period included an adjustment for increased outbound transportation costs under SR 35 to CPR 22, this price must be reduced by the dollar amount of the transportation cost adjustment before it may be used as an adjustment period price. However, if increases in these costs occur on or after the effective date of this section, an adjustment thereafter may be determined in accordance with SR 35 to CPR 22, Provided, That January 30, 1953 must be used as the "base date" for the purpose of such determi-

(e) Effective date. The adjustment authorized by this section becomes effective February 4, 1953.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S. C. App. Sup. 2154)

Effective date. This amendment is effective February 4, 1953.

JOSEPH H. FREEHILL, Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1164; Filed, Jan. 30, 1953; 1:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board [General Salary Stabilization Regulation 1, Amended, Amdt. 3]

GSSR 1-STABILIZATION AND GENERAL AD-JUSTMENTS OF SALARIES AND OTHER COMPENSATION

EMPLOYEES OF CERTAIN NON-PROFIT ORGANIZATIONS

Paragraph (a) of section 5 of General Salary S tabilization Regulation 1, Amended, as amended, is hereby amended to read as follows:

Sec. 5. Employees of certain nonprofit organizations. (a) Adjustments in the salaries and other compensation of employees of religious, charitable, soientific, literary, educational organiza-tions, cemetery companies, which are exempt from Federal income taxes under section 101 (5) and (6) of the Internal Revenue Code, and of credit unions authorized under the Federal Credit Union Act or the laws relating to credit unions of any state or territory of the United States and which are exempt from Federal income taxes under section 101 of the Internal Revenue Code, and of nonprofit hospitals, may be made in generalconformance with the salary stabilization regulations without approval by the Office of Salary Stabilization. The Office of Salary Stabilization may review such adjustments and revoke or modify them if they are found to be in conflict with salary stabilization regulations.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S. C. App. Sup. 2154)

Adopted by the Salary Stabilization Board, January 19, 1953.

JUSTIN MILLER, Chairman.

Approved:

Michael V. Disalle, Economic Stabilization Administrator.

[F. R. Doc. 53-1192; Filed, Feb. 2, 1953; 9:43 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter V-War Claims Commission

Subchapter A-Rules of Practice

PART 501—PRACTICE BEFORE THE COMMISSION

RESTRICTIONS ON FORMER EMPLOYEES

Part 501 is hereby amended by the addition of § 501.31 as follows:

§ 501.31 Restrictions on former employees. (a) No former member, officer or employee of the Commission shall represent any claimant before the Commission or shall be connected in any way with the prosecution of any claim which is before the Commission which claim was in any way considered by such former member, officer or employee during his period of service with the Commission or concerning which he gained personal knowledge during his service with the Commission.

(b) No former member, officer or employee of the Commission shall, for a period of two years following his service with the Commission represent any claimant before the Commission or shall be connected in any way with the prosecution of any claim before the Commission unless prior approval is obtained from the Commission in each matter. To obtain such approval a request shall be made in affidavit form to the Commission stating (1) that the applicant did not personally consider the matter or gain personal knowledge thereof during his service with the Commission, and (2) that he is not associated with any person who personally considered the matter or gained personal knowledge thereof during his service with the Commission. The application may be granted or denied in the discretion of the Commission and shall be denied if the public interest would otherwise suffer.

(Sec. 2, 62 Stat. 1240; 50 U. S. C. App. Sup., 2001)

DANIEL F CLEARY, Chairman, War Claims Commission.

[F. R. Doc. 53-1111; Filed, Feb. 2, 1953; 8:51 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 10—UNIFORM SYSTEM OF ACCOUNTS FOR RAILROAD COMPANIES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 22d day of January A. D. 1953

22d day of January A. D. 1953.

The matter of modifying the "Uniform System of Accounts for Railroad Companies" being under consideration pursuant to the provisions of section 20 of the Interstate Commerce Act, as amended (24 Stat. 386, 41 Stat. 493, 54 Stat. 916, 49 U. S. C. 20) and,

It appearing that a notice dated December 11, 1952, was served on all railroad companies subject to provisions of the act, to the effect that certain modifications had been approved, such notice also being published in the Federal Register on December 24, 1952 (17 F. R. 11726) pursuant to provisions of section 4 of the Administrative Procedure Act; and.

It further appearing that the notice provided for written views or arguments to be filed by any interested person on or before January 16, 1953, and no representations having been received: It is ordered, that:

(1) Effective date. The modifications which are set forth below and made a part hereof, relating to the subject matter of said notice, shall become effective March 1, 1953.

(2) Notice. A copy of this order including the modifications set forth below shall be served on each carrier by railroad subject to Part I of the act and not independently operated as an electric line, and on every trustee, receiver, executor, administrator, or assignee of any such carrier, and notice of this order shall be given to the general public by depositing a copy, thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

1. In § 10.704 Capital and other reserve funds, cancel the text of and notes to this account, and substitute the following for them:

§ 10.704 Capital and other reserve funds. (a) This account shall include cash and the ledger value of other assets held by trustees or by the accounting company's treasurer when segregated in distinct funds that have been (1) realized from the sale of equipment obligations or other long-term obligations and not yet applied toward the specific purposes for which the obligations were incurred, and (2) set aside in accordance with governmental, mortgage, or contractual requirements in connection with reorganizations or otherwise. This account shall also include funds deposited with trustees to be held until mortgaged property sold is replaced.

(b) An appropriate record shall be maintained for securities issued or assumed by the accounting company and held in the funds, identifying those that are nominally issued or nominally outstanding.

Note A: Funds specifically set aside for sinking fund purposes shall be included in account 703, "Sinking funds." If one purpose of a capital fund is to provide contributions to a sinking fund under specified conditions, the entire amount of the fund shall be included in this account until the contributions to the sinking fund are made, at which time the amounts thereof shall be transferred to account 703.

NOTE B: The ledger value of assets of the character indicated in paragraph (a) (2) of this section, shall be transferred to the appropriate current asset account when the assets are definitely assigned in advance of expenditure to the payment of interest or other current liabilities payable within one year.

Note C: Bank deposits subject to current withdrawal for specific purposes only, shall be included in account 711, "Special deposits." Deposits available for general company purposes shall be included in account 703, "Cash."

2. In § 10.711 Special deposits, cancel the text of this account and substitute the following text and note for it:

§ 10.711 Special deposits. This account shall include funds specifically deposited for the payment of dividends, interest, and other current liabilities; also other deposits subject to current withdrawal for specific purposes only.

Note: Deposits available for general company purposes shall be included in account 708, "Cash"

3. In § 10.721 Insurance and other funds, add the following note to the text of this account:

Note D: Bank deposits subject to current withdrawal for specific purposes only, shall be included in account 711. "Special deposits." Deposits available for general company purposes shall be included in account 708, "Cash"

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

[F. R. Doc. 53-1037; Filed, Feb. 2, 1953; 8:50 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Wage and Hour Division 1.29 CFR Part 678 1

STONE, GLASS, AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

MINIMUM WAGE RATES

Pursuant to section 5 (a) of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, the Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 421, dated May 8, 1952, as amended by Administrative Orders No. 422, dated June 3, 1952, appointed Special Industry Committee No. 12 for Puerto Rico, hereinafter called the Committee, and directed the Committee to investigate conditions in a number of industries in Puerto Rico specified and defined in said orders, including the stone, glass, and related products industry, and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the stone, glass, and related products industry in Puerto Rico, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the stone, glass, and related products industry in Puerto Rico, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico. After investigating economic and competitive conditions in the industry, the Committee filed with the Administrator a report containing (a) its recommendations that the industry be divided into separable divisions for the purpose of fixing minimum wage rates; (b) the titles and definitions recommended by the Committee for such separable divisions of the industry and (c) its recommendations for minimum wage rates to be paid employees engaged in commerce or in the production of goods for commerce in such divisions of the industry.

Pursuant to a notice published in the Federal Register on August 30, 1952, and circulated to all interested persons, a public hearing upon the Committee's recommendations was held before Hearing Examiner E. West Parkinson, as presiding, officer, in Washington, D. C., on October 14, 1952, at which all interested parties were given an opportunity to be heard. After the hearing was closed the record of the hearing was certified to the Administrator by the presiding officer.

Upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendations of the Committee for minimum wage rates in the stone, glass, and related products industry in Puerto Rico and its divisions, as defined, were made

in accordance with law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Special Industry Committee No. 12 for Minimum Wage Rates in the Stone, Glass, and Related Products Industry in Puerto Rico" a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practice governing this proceeding (16 F R. 2684) that I propose to approve the Committee's recommendations for the stone, glass, and related products industry, and to revise this part to read as set forth below, to carry such recommendations into effect.

Within 15 days from publication of this notice in the Federal Register, interested parties may submit written exceptions. Exceptions' should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Sec. 678.1 Wage rates. 678.2 Notices of order.

678.3 Definitions of the stone, glass, and related products industry in Puerto Rico and its divisions.

AUTHORITY: §§ 678.1 to 678.3 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 678.1 Wage rates. (a) Wages at a rate of not less than 60 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the glass and glass products division of the stone, glass, and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

- (b) Wages at a rate of not less than 42 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the glass decorating division of the stone, glass, and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(c) Wages at a rate of not less than 42 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the mica division of the stone, glass, and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(d) Wages at a rate of not less than 60 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the concrete pipe division of the stone, glass, and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(e) Wages at a rate of not less than 75 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the hot asphaltic plant mix division of the stone, glass, and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for compared

merce

(f) Wages at a rate of not less than 50 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the general division of the stone, glass, and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 678.2 Notices of order Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the stone, glass, and related products industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 678.3 Definitions of the stone, glass, and related products industry in Puerto Rico and its divisions. (a) The stone, glass, and related products industry in Puerto Rico, to which this part shall apply, is hereby defined as follows: The mining, quarrying, or other extraction and the further processing of all minerals (other than clay, metal ores, coal, petroleum, or natural gases) and the manufacture of products from such minerals, including, but without limitation. glass and glass products; dimension and cut stone; crushed stone, sand and gravel; abrasives; lime, concrete, gypsum, mica, plaster, and asbestos products; and the manufacture of products from bone, horn, ivory, shell, and other similar natural materials: Provided, however That the definition shall not include the manufacture of chemicals, or the extraction of minerals used for such manufacture, or any product or activity included in the button, buckle, and jewelry industry, the cement industry, the clay and clay products industry the construction, business service, motion picture, and miscellaneous industries, the jewel cutting and polishing industry, or the metal, plastics, machinery, instrument, transportation equipment and allied industries (as defined in the wage orders for these industries in Puerto Rico)

(b) The separable divisions of the industry, as defined in paragraph (a) of this section, to which this part shall apply, are hereby defined as follows:

(1) Glass and glass products division. The manufacture of glass and glass products except the decorating of glass or glass products when performed in a non-glass making establishment.

(2) Glass decorating division. The decorating of glass or glass products when performed in a non-glass making establishment.

(3) Mica division. The processing of mica and the manufacture of mica parts for radio, television, or other electronic tubes or for other electrical products.

(4) Concrete pipe division. The manufacture of concrete pipe or conduit.

(5) Hot asphaltic mix division. The manufacture of hot asphaltic plant mix for paying.

(6) General division. All products and activities included in the stone, glass, and related products industry, as defined in this section, except those included in the glass and glass products

division, the glass decorating division, the mica division, the concrete pipe division, and the hot asphaltic mix division, as defined in this section.

Signed at Washington, D. C., this 28th day of January 1953.

WIL R. McComb, Administrator, Wage and Hour Division, United States Department of Labor

[F. R. Doc. 53-1104; Filed, Feb. 2, 1953; 8:50 a.m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

_Alaska

NOTICE OF FILING OF PLAT OF SURVEY

JANUARY 26, 1953.

Notice is given that the plat of original survey of the following described lands, accepted April 30, 1952 will be officially filed in the Land Office, Anchorage, Alaska, effective at 10:00 a.m. on the 35th day after the date of this notice:

COPPER RIVER MERIDIAN

T. 28 S., R. 55 E., Completion of Section 22.

The area described contains 320.80 acres.

The land is located at Mile Post 28 of the Haines Cut-off Road, lying northwest of Haines, Alaska.

The land is relatively rugged, shallow soiled, with mature Hemlock and Sitka Spruce forming a complete cover. The shallow soil is composed of a light silt with high content of sand. Generally speaking, it is not considered agricultural.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) Ninety-one day period for preference-right filings. For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the small tract act of June 1, -1938 (52 Stat. 609, 43 U.S. C. 682a) as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U.S.C. 461) by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. 279-284) as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of

this paragraph. All applications filed under the paragraph either at or before 10:00 a.m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a.m. on the said 35th day shall be considered in the order of filing.

(b) Date for non-preference-right fil1998. Commencing at 10:00 a.m. on the
126th day after the date of this notice,
any lands remaining unappropriated
shall become subject to such application,
petition, location, selection, or other appropriation by the public generally as
may be authorized by the public-land
laws. All such applications filed either
at or before 10:00 a.m. on the 126th day
after the date of this notice, shall be
treated as though filed simultaneously at
the hour specified on such 126th day.
All applications filed thereafter shall be
considered in the order of filling.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in §-181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those havmg equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

Virgil O. Seiser, Manager.

[F. R. Doc. 53-1036; Filed, Feb. 2, 1953; 8:46 a. m.]

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

JANUARY 26, 1953.

Notice is given that the plat of original survey of the following described lands, accepted June 26, 1952, will be officially filed in the Land Office, Anchorage, Alaska, effective at 10:00 a.m., on the 35th day after the date of this notice:

SEWARD MERIDIAN

T. 14 N., R. 2 W., Sections 23 and 24.

The area described contains 1280 acres.

The lands are included in the with-drawal made by Executive Order 8102, of April 29, 1939, from settlement, location, sale, entry, and all forms of appropriation for use as a military reservation; section 24 is also reserved and classified for Power Site under section 24 of the act of June 10, 1920, by Power Site Classification 399 of March 29, 1950.

Anyone having a settlement or other right to any of these lands initiated prior to the date of the withdrawal of the lands should assert the same within three months from the date on which the plat is officially filed by filing application under the appropriate public land law, setting forth all facts relative thereto.

VIRGIL O. SEISER, Manager.

[F. R. Doc. 53-1037; Filed, Feb. 2, 1953; 8:46 a.m.]

Bureau of Reclamation

[No. 63]

YUMA IRRIGATION PROJECT, ARIZONA-CALIFORNIA

PUBLIC NOTICE OF ANNUAL OPERATION AND LIAINTENANCE CHARGES AND ANNUAL WATER RENTAL CHARGES

JANUARY 5, 1953.

1. Annual operation and maintenance charges for lands under public notice,

700 NOTICES

Reservation Division. The minimum annual operation and maintenance charge for the calendar year 1953 and thereafter until further notice against all lands of the Reservation Division under public notice shall be \$7.50 per irrigable acre, whether water is used or not, payment of which will entitle the water user to 7 acre-feet of water per acre on certain sandy areas shown on the list attached hereto and to public notice No. 64 and to 5 acre-feet of water per irrigable acre on all other lands of the division under public notice. Additional water, if available, will be furnished at the rate of \$2.00 per acre-foot.

Where in the opinion of the Chief, Operations Division, Lower Colorado River District, it may be done without interference with other project requirements. upon written request filed in advance by a water user who is not delinquent in the payment of any operation and maintenance charges, water will be furnished free of charge for reclaiming lands by the usual methods: Provided, however. That lands for which free water was served during the preceding calendar year will not again be served free water in the absence of evidence satisfactory to the Chief, Operations Division that although the water so served free of charge during such preceding year was applied to the land in sufficient quantities over a period of not less than 3 months, the results accomplished during such preceding year were not satisfactory.

All minimum annual operation and maintenance charges shall be due and payable on July 1 of each year.

2. Annual water rental charges for other lands, Reservation Division. Irrigation water will be furnished during the calendar year 1953 and thereafter until further notice for lands in the Reservation Division not under public notice which can be irrigated from the present distribution system without further construction expense by the Bureau, upon a rental basis under approved applications for temporary water service, at the following rates: The minimum annual charge shall be \$7.50 per irrigable acre, payment of which will entitle the applicant to 5 acre-feet of water per acre. Additional water, if available, will be furnished at the rate of \$2.00 per acrefoot. All charges shall be payable in advance of the delivery of water. Refund will be made for additional water paid for but not used.

3. Annual water rental charges for lands in the Valley Division not under public notice. Irrigation water will be furnished during the calendar year 1953 and thereafter until further notice for lands in the Valley Division not under public notice which can be irrigated from the present distribution system without further construction expense by the United States, upon a rental basis under approved applications for temporary water service, at the following rates:

(a) The minimum annual charge shall be \$16.00 per irrigable acre, payment of which will entitle the applicant to 5 acrefeet of water per ırrıgable acre. Additional water, if available, will be furnished at the rate of \$1.50 per acre-foot.

(b) The charge per calendar year for

each city or town lot having a maximum width not exceeding sixty (60) feet shall be \$10.00. Where an applicant requests water service for more than one such lot in the same city or town the charge per calendar year for each additional lot shall be \$4.00. Where lots exceed sixty (60) feet in width, each sixty (60) feet of additional width or fractional part thereof shall be considered as one additional lot.

All charges shall be payable in advance of the delivery of water. Refund will be made for additional water paid for under subdivision (a) hereof but not used.

4. Penalties. On all payments not made on or before the due dates, there shall be added on the following day a penalty of one-half of one percent of the amount unpaid and a like penalty of one-half of one percent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue.

5. Place of payment. All payments should be made to the Agent-Cashier, Bureau of Reclamation, Yuma Air Base, or mailed to the Agent-Cashier, Bureau of Reclamation, Bin 151, Yuma, Arizona.

E. G. NIELSEN. Regional Director

Sandy Areas in the Reservation Under Public Notice $\dot{}$

TOWNSHIP 16 SOUTH, RANGE 23 EAST, S. B. M., CALIFORNIA

Section	Farm unit	Description of lands within which sandy areas are located	Acres sandy
4		That part of SW14 de- scribed in application for	104. 4
Б	P	permanent water right bearing serial No. 204. That part of SW4SE4 lying west of drain.	13.6

[F. R. Doc. 53-1088; Filed, Feb. 2, 1953; 8:46 a. m.]

Office of the Secretary

Order 27141

CALIFORNIA AND NEW MEXICO

OIL AND GAS LEASE APPLICATIONS FOR CER-TIAN NATIONAL-FOREST LANDS TO BE REJECTED

SECTION 1. Action on applications. It is ordered that, until further notice, no oil and gas lease under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437. 30 U.S. C. 181 et seq.) as amended and supplemented, shall be issued for the public lands within the areas described in section 2. All pending applications for such leases, and all applications for such leases hereafter filed, shall be rejected.

-Sec. 2. Description of lands.

CALIFORNIA

LOS PADRES NATIONAL FOREST

VENTANA WILD AREA

MOUNT DIABLO MERIDIAN

T. 18 S., R. 1 E., Sec. 1; Sec. 12.

T. 18 S., R. 2 E. Secs. 1 to 17, inclusive; Sec. 18, NE1/4, Secs. 20 to 29, inclusive; Secs. 32 to 36, inclusive. T. 19 S., R. 2 E. Secs. 1 to 17, inclusive; Sec. 18, E½, Sec. 20, E1/2 Secs. 21 to 28, inclusive. T. 18 S., R. 3 E., Secs. 17 to 20, inclusive; Sec. 21, W½,
Secs. 29 to 32, inclusive. T. 19 S., R. 3 E., Secs. 3 to 10, inclusive; Secs. 15 to 21, inclusive; Secs. 28 to 33, inclusive.

The areas described, including both public and non-public lands, aggregate 55,980.80 acres.

SAN RAFAEL WILD AREA

SAN BERNARDINO MERIDIAN

```
T. 7 N., R. 26 W.,
   Sec. 5, S½,
Sec. 6, lots 9 to 26, inclusive;
      E1/2SW1/4, SE1/4,
   Secs. 7 and 8;
   Sec. 9, W½,
Secs. 17 and 18;
Sec. 19, lots 1 and 2, NE¼, E½NW¼.
T. 8 N., R. 26 W.,
Sec. 32, SW¼NW¼, SW¼, W½SE¼.
T. 6 N., R. 27 W.,
   Sec. 3, lot 4, SW1/4NW1/4, W1/2SW1/4.
   Sec. 4:
   Sec. 5, lots 1 and 2, S1/2 NE1/4,
Sec. 9, NE 4.
T. 7 N., R. 27 W.,
   Secs. 1 to 18, inclusive;
Sec. 19, lots 1 and 2, NE¼, E½NW¼, SE¼,
   Secs. 20 to 24, inclusive;
   Sec. 25, W½E½, W½,
Secs. 26 to 29, inclusive;
   Sec. 30, E½,
Secs. 32 and 33;
   Sec. 34, N½, SW¼,
Sec. 35, N½N½,
   Sec. 36, N1/2NW1/4.
T. 8 N., R. 27 W.,
Secs. 6 and 7;
  Sec. 17, W½NW¼, SE¼NW¼, SW¼, W½SE¼, Secs. 18 to 20, inclusive; Sec. 21, W½SW¼, Sec. 25, S½S½,
   Sec. 26, S1/2,
   Sec. 27, S1/2,
   Secs. 28 to 36, inclusive.
T. 7 N., R. 28 W.,
   Secs. 1 to 4.-inclusive:
  Sec. 10, E½,
Secs. 11 to 13, inclusive;
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Sec. 14, E1/2, Sec. 24, NE1/4. T. 8 N., R. 28 W., Sec. 1, S½, Secs. 2 to 4, inclusive; Secs. 9 to 16, inclusive; Secs. 21 to 28, inclusive: Sec. 33, lots 1 and 2, E½NE¼, Sec. 34, N½, Sec. 35, N1/2, SE1/4, Sec. 36. T. 9 N., R. 28 W., Secs. 31 and 32;

Sec. 33, S1/2, Sec. 34, 51/2. T. 8 N., R. 29 W. Secs. 1 to 6, inclusive: Sec. 7, NE1/4 Secs. 8 to 15, inclusive; Sec. 16, N1/2, SE1/4. Sec. 17, NE¼, Sec. 22, N½N½ Sec. 23, NE¼, N½NW¼, Sec. 24; Sec. 25, E1/2.

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T. 9 N., R. 29 W.,
        Sec. 25;
       Sec. 33, S1/2,
       Sec. 34, S½,
Sec. 35, S½N½, S½.
 T. 8 N., R. 30 W.,
        Sec. 1, lots 1 to 5, inclusive, NW1/4SE1/4.
T. 9 N., R. 30 W.,
Sec. 25, SE¼SW¼, S½SE¼,
Sec. 35, E½SE¼,
        Sec. 36, E½, E½NW¼, SW¼.
The areas described, including both public and non-public land, aggregate
80,329.38 acres.
                                    SANTA YNEZ WATERSHED
                                SAN BERNARDING MERIDIAN
T. 5 N., R. 24 W.,
        Sec. 19, lots 1 to 4, inclusive, and E1/2SW1/4,
Sec. 19, 10ts 1 to 4, inclusive, and 17,25 \( 7.4\), Sec. 30, lots 1 and 2, \( W\superset \) \( \superset \) \
       Sec. 12, W%W%,
Sec. 13, W%NW%, SW%, SW%SE%,
Secs. 14 to 18, inclusive;
        Sec. 19, lots 1, 3, and 4, E1/2, E1/2W1/2,
        Sec. 20;
                                21,
                                                  N½, N½S½,
                                                                                                                       SW14SW14.
      Sec. 21, N/2, N/25/2,
SW/4SE/4,
Secs. 21 to 26, inclusive;
Sec. 27, E½, E½W½,
W½SW¼,
                                                                                                                     NW¼NW¼.
        Sec. 28, NE1/4 NE1/4, S1/2,
Sec. 28, NE¼NE¼, S½,
Secs. 29 and 30;
Sec. 31, lots 1, 2, and 3, NE¼, N½SE¼,
E½NW¼, NE¼SW¼,
Sec. 32, N½, N½S½,
Sec. 33, N½, N½S½, S½SE¼,
Sec. 34, N½, N½S½, S½SE¼,
Sec. 35, N½N½,
Sec. 36, N½N½,
Sec. 36, N½N½,
T. 5 N, R. 26 W.,
Sec. 1 2, 3, and 4.
        Secs. 1, 2, 3, and 4;
        Sec. 5, lots 1 to 23, inclusive;
      Sec. 0, 1015 1 to 23, inclusive;
Sec. 6, lots 1 to 14, inclusive, W½SE¼,
SW¼NE¼, SE¼NW¼, E½SW¼,
Sec. 7, lots 1 to 12, inclusive, NE¼SE¼,
NE¼, E½NW¼,
Sec. 8, lots 1 to 18, inclusive, SE¼NE¼,
E½SE¼, S½SW¼, NW¼SW¼,
Sec. 9, lot 1, E½, E½W½, SW¼NW¼,
W¼SW¼
         Sec. 15, Ny, SEY, SEYSWY,
Sec. 15, NY, SEY, SEYSWY,
         Sec. 16, N1/2,
         Sec. 17, lots 1 to 7, inclusive, S½, SE¼
NW¼, S½NE¼, NE¼NE¼,
Sec. 18, lots 1 to 8, inclusive, S½NE¼,
        SE'4, SE'4,NW.4, E'2,SW'4,
Secs. 19 and 20;
Sec. 21, S½, S½,NW'4, NW'4,NW'4,
Secs. 22 to 26, inclusive;
         Sec. 27, N1/2, SW1/4,
         Sec. 28;
        Sec. 29, N½, SW¼, N½SE¼, SW¼SE¼, Sec. 39, lots 1 and 2, E½, E½NW¼, Sec. 33, lots 1, 2, 3, 4, 7, and 8; Sec. 34, lots 1 and 2, N½NE½,
         Sec. 35, E%, N%NW%, SE%NW%, NE%
               sw¼,
         Sec. 36.
  T. 5 N., R. 27 W.,
         Secs. 1, 2, and 3;
         Secs. 4, 5, 6, 7, 8, 9;
Sec. 10, lots 1 to 16, inclusive, NE1/4, SW1/4
         Sec. 10, 10ts 1 to 10, inclusive, NEA, SWA
SE4, SWSW4, NWWSWW4,
Sec. 11, lots 1 to 13, inclusive, NWNW2,
SEKNEW, SWWSEW4,
Sec. 12, lots 1 to 16, inclusive, NEW4,
         SE¼SE¼,
Sec. 13, lot 1, E½, E½W½, SW¼NW¼.
       Sec. 13, lot 1, £½, £½, ½, ½, 5½, ½, ½½, ½, Sec. 14, lots 1, 2, and 3, 5½, 5½, ½½, Sec. 15, lots 1 to 10, inclusive, ₩½, NE¼, Secs. 16, 17, 16; Sec. 19, lots 1, 3, 4, NE¼, NW¼, Sec. 20, lots 1, 2, 3, 4, 7, and 8;
                        No. 22-
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Sec. 21, lots 1 to 12, inclusive;
Sec. 24, NEKNEK, SKNEK.
 Sec. 4;
          Sec. 5, 51/251/2, lots 2, 3, and 4;
Sec. 6, lot 1;
           Sec. 7, lots 1 to 4, inclusive, lots 7 to 20,
                     inclusive;
            Sec. 8, E%NE%, NE%SE%, lots 2 to 8, in-
                     clusive:
            Sec. 9, lots 2, 3, and 4, SE!4, E!4SW!4,
          SWYNWY,
Sec. 10, SYNY, WYSEY, SWY,
Sec. 11, SYNEY, SEY, SEYNWY, NEY
SWY, SYSWY,
Sec. 12, NEYNEY, SYNEY, SY, NEY
                     NWKNEK, SKNWKNEK,
         Sec. 13;
Sec. 14, N½N½, S½NE¼, NE¼SE¼,
Sec. 15, N½N½, SW¼NE¾, N½SW¼,
SE¼SW¼, NW¼SE¼, S½NW¼,
          Sec. 18;
            Sec. 19, lots 2 to 7, inclusive;
  Sec. 20, W½NE¼, NW¼.
T. 5 N. R. 29 W.,
Sec. 1, lots 3, 4, 5, and 6;
Sec. 2, SW¼SE¼, S½SW¼;
Sec. 3, SW¼SE¼, S½SW¼;
            Sec. 4, lots 1, 5, 9, 10, 11, and 12, SE!4,
           Sec. 5, lots 1, 2, 3, 6 to 11, inclusive, 13, 14, 15, 16;
            Sec. 6, lots 5, 6, and 7, SE! [NE! 4, E! 45W! 4.
            Sec. 7, lots 1 and 2, E1/2NW1/4, NE1/4, N1/281/4,
            SE14SE14, SW14SW14,
Secs. 8 and 9;
          Secs. 8 and 9;
Sec. 10, NW!\ne!\(\frac{1}{2}\), S!\(\frac{1}{2}\), Sec. 10, NW!\(\frac{1}{2}\), S!\(\frac{1}{2}\), S!\(\frac{1}{2}\), Sec. 11, NW!\(\frac{1}{2}\), S!\(\frac{1}{2}\), Sec. 12, W!\(\frac{1}{2}\), Se!\(\frac{1}{2}\), Se!\(\frac{1}{2}\), Se!\(\frac{1}{2}\), Se!\(\frac{1}{2}\), Se!\(\frac{1}{2}\), NW!\(\frac{1}{2}\), Sec. 14, N!\(\frac{1}{2}\), NY\(\frac{1}{2}\), NY\(\frac{1}\), NY\(\frac{1}{2}\), NY\(\frac{1}\), NY\(\frac{1}\), NY\(\frac{1}\), NY\(\frac
 Sec. 15, N/24/2,
Sec. 16, N/24/24, NE4/NW/4.
T. 5 N., R. 30 W.,
Sec. 1, lots 1, 2, 3, 5, 6, 7, SW/4NE/4,
W/25E/4, S/2NW/4, SW/4,
Sec. 2, SE/4NE/4, E/25E/4,
Sec. 12, lots 1 to 4, inclusive, W/2E/2, NW/4,
NEASSW/4
  NE¼SW¼.
T. 6 N., R. 24 W.,
            Sec. 4, lots 3 and 4, 81/2 NW1/4, SW1/4:
             Sec. 5;
             Sec. 8, N1/2
  Sec. 9, NW!4.
T. 6 N., R. 25 W.,
Secs. 1 to 11, inclusive;
Secs. 1 to 11, inclusive;
Sec. 12, W½.
Sec. 13, W½.
Secs. 14 to 23, inclusive;
Sec. 24, W½.E½. W½.
Sec. 25, W½.
Secs. 26 to 35, inclusive;
Sec. 36, N½.NW¼.
T. 6 N., R. 26 W.,
Secs. 1 and 2;
Sec. 3, lots 1, 2, and 4, S½N½. S½.
Sec. 4, lots 1, 2, 3, and 4, S½N½. N½S½.
SE¼SE¼.
                        SE¼SE¼,
            SE135E1, Sec. 5, lots 1, 2, and 3, 81/11E1, NW1/15W1/4, Sec. 5, lots 1, 2, and 3, 81/11E1, NW1/15W1/4, SW1/35W1/4, SW1/35W1/4, SEC. 6 to 20, inclusive; Sec. 21, N1/4, SW1/4, NSE1/4, SW1/35E1/4, Secs. 23, N1/4, E1/45W1/4, SE1/4, NW1/4, Secs. 23 to 27, inclusive; Sec. 23, S1/11E1/4, NW1/4, NW1/4, Secs. 23 to 26, inclusive; Secs. 23 to 26, inclusive; Secs. 23 to 26, inclusive; Secs. 29 to 26, inclusive; Secs. 20 to 26, inclus
              Secs. 29 to 36, inclusive.
    T. 6 N., R. 27 W.,
              Secs. 1 to 6, inclusive:
              Sec. 7:
              Secs. 8 to 12, inclusive;
              Sec. 13, lots 1 to 6, inclusive, N14, S14SW14.
                       NEWSEW.
              Secs. 14 to 17, inclusive;
              Sec. 18:
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Sec. 19;
        Secs. 20 to 29, inclusive:
        Secs. 30 and 31;
       Secs. 32 to 36? inclusive.
T. 6 N., R. 28 W.,
Sec. 1;
        Sec. 2:
       Sec. 12;
Sec. 24, SE¼SE¼,
        Sec. 25;
       Sec. 26, lot 1;
Sec. 34, lot 1;
       Sec. 35;
Sec. 36.
  Sec. 30.

T. 6 N., R. 29 W.,

Sec. 29;

Sec. 30, lots 1, 2, and 4;

Sec. 31, lots 2, 3, and 4, E½E½,

Sec. 32, N½SE¼, SW¼SE¼, W½,

Sec. 33, W½SW¼,

Sec. 34, lots 1, and 2
   Sec. 34, lots 1 and 2.
T. 7 N., R. 24 W.,
Sec. 29. S½S½,
Sec. 30, lots 2, 3, and 4, E½SW¼, S½SE¼.
        Secs. 31 and 32;
   Sec. 33, W1/2.
T. 7 N., R. 25 W.,
Sec. 7, lots 3 and 4, E1/2SW1/4, SE1/4,
Sec. 8, SW1/4NW1/4, S1/2,
Sec. 10, S1/2, S1/2NW1/4, NW1/4NW1/4,
        Sec. 17;
Secs. 18 to 21, inclusive:
  Sec. 18 fb 21, includive;
Sec. 22, S½, NW¼, W½,NE¼, SE¼NE¼,
Sec. 23, S½S½, NW¼SW¼, SW¼NW¼,
Sec. 26 to 35, includive.

T. 7 N., R. 26 W.,
Sec. 1, E½E½SE¼, W½E½SE¼,
Sec. 7, S½SE¼,
Sec. 8, S½S½,
Sec. 9, S½S½, N½SE¼;
Sec. 10, S½NW¼, S½,
Sec. 11;
Sec. 12 to 30, includive:
        Secs. 12 to 30, inclusive;
        Sec. 31, lots 1, 2, 3, and 4, E1/2W1/2, W1/2E1/2,
           E%NE%.
        Sec. 32, N½, N½S½, SE¼SW¼, S½SE¼;
Sec. 33, N½, N½S½, S½SW¼, SW¼SE¼,
Sec. 34, N½, N½S½, S½SE¼,
        Secs. 35 and 36.
  Sec. 35 and 36.

T. 7 N., R. 27 W.,

Sec. 4. S½.

Sec. 6, lot 26, SE¼SW¼,

Sec. 7, 8, and 9;

Sec. 10, S½, NW¼, S½NE¼,

Sec. 11, S½, S½N½,

Sec. 12, SW¼, S½SE¼,

Sec. 13, 14, and 15;

Sec. 16, E½, N½NW¼, SW¼NW¼, SW¼,

Sec. 36, E¼, N½NW¼, SW¼NW¼, SW¼,
        Sec. 36, E%, N%NW%, W%SW%.
   Sec. 30. E/2, N/2NW/4, W/2SW/4.

T. 7 N., R. 28 W.,
Sec. 1, SE/4SW/4, SE/4,
Secs. 7, 8, and 9;
Secs. 10 to 15, inclucive;
Secs. 10, 17, and 18;
Sec. 19, NE/4, NW/4SE/4,
Sec. 20, N/2, N/2S/2, SE/4SW/4,
Sec. 21, N/2, N/2S/2, SE/4SW/4, S/2SE/4,
Secs. 22 to 26, inclusive;
Sec. 27.
        Sec. 23, loto 1, 2, 3, and 4, N½NE¼, SE¼
NE¼, NE¼NW¼,
Sec. 34;
        Sec. 27;
         Sec. 35;
        Sec. 36.
   T. 7 N., R. 29 W.,
        Sec. 1, lot 4. SWKNWK, SWK,
        Sec. 2, lots 1 to 7, inclusive, S1/2NE1/4, S1/2,
        Sec. 3, lots 1, 2, and 4, SEMNEM
NEMSEM, SMSEM, SWM, SWMNWM,
         Sec. 4;
         Sec. 9, NE14,
         Sec. 10, SW!4NE'4, SE'4, W1/2,
         Secs. 11 and 12;
         Sec. 13, NYSWY, SWYSWY, NWYSEY,
            N1/2.
         Sec. 14. E%NE%, NW%NE%, NE%SE%;
        Sec. 15, E1/2,
         Sec. 22, E1/2.
         Sec. 23, SW14.
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T. 8 N., R. 29 W., Sec. 32, S½SE¼; Sec. 33, S½SW¼, SE¼, Sec. 34, 5½, N½, S½, Sec. 35, lot 1, NW¼SE¼, S Synw¼, N½SW¼, SE¼SW¼; S1/2SE1/4. Sec. 36, SW14SW14.

The areas described, including both public and non-public lands, aggregate approximately 197,717 acres.

The public lands within portions of the above-described areas in the San Rafael Wild Area and the Santa Ynez Watershed were withdrawn, with other lands, by the act of April 20, 1936 (49 Stat. 1234) from location or entry under the United States mining laws, to conserve the water resources and to encourage reforestation of the watersheds of Santa Barbara County.

New Mexico

SANTA FE NATIONAL FOREST SAN PEDRO PARKS WILD AREA

NEW MEXICO PRINCIPAL MERIDIAN

T. 21 N., R. 1 E., Secs. 1 to 12, inclusive; Sec. 13, N½, Sec. 14, N½, SW¼, Secs. 15 to 22, inclusive; Sec. 23, W½. T. 21 N., R. 2 E., Secs. 6 and 7; Sec. 18, N1/2. Sec. 16, N/2. T. 22 N., R. 1 E., Secs. 1 to 36, inclusive. T. 22 N., R. 2 E., Secs. 18, 19, 30, and 31.

The areas described aggregate 41,-130.65 acres of public land.

SEC. 3. Purpose of order This order is issued on the recommendation of the Department of Agriculture in order to protect the watershed and wild-area values of the lands.

JOEL D. WOLFSOHN. Assistant Secretary of the Interior

JANUARY 27, 1953.

[F. R. Doc. 53-1089; Filed, Feb. 2, 1953; 8:47 a. m.]

[Order 2714]

CALIFORNIA AND NEW MEXICO

NOTICE FOR FILING OBJECTIONS TO ORDER REGARDING OIL AND GAS LEASE APPLICA-TIONS FOR CERTAIN NATIONAL-FOREST LANDS TO BE REJECTED 1

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified, or let stand will be given to all interested parties of record and the general public.

JOEL D. WOLFSOHN. Assistant Secretary of the Interior

JANUARY 27, 1953.

[F. R. Doc. 53-1090; Filed, Feb. 2, 1953; 8:47 a. m.1

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U.S.C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December 31, 1951, 16 F R. 12043 and June 2, 1952; 17 F R. 3818)

Blue Bell, Inc., Ruckersville, Va., effective 1-23-53 to 7-22-53; 50 learners for expansion purposes (dungarees).

Brookfield Manufacturing Co., Court Street, Plymouth, Mass., effective 1–26–53 to 1–25–54;

flymouth, mass., entertye 1-20-05 to 1-20-05, five learners (dresses).

Campus Shirt Co., 130 East South Street, Barnesville, Ohio, effective 1-23-53 to 1-22-54; 10 percent of the productive factory force (sport shirts).

Carwood Manufacturing Co., Baldwin, Ga. effective 1-22-53 to 1-21-54; 10 percent of the productive factory force (men's and boys' cotton work shirts and work pants).

Carwood Manufacturing Co., Monroe, Ga., effective 1-19-53 to 1-18-54; 10 percent of the productive factory force (denim work clothing).

Carwood Manufacturing Co., Winder, Ga., effective 1-19-53 to 1-18-54; 10 percent of the productive factory force (men's and boys' work shirts and pants).

Carwood Manufacturing Co., Lavonia, Ga., effective 1-19-53 to 1-18-54; 10 percent of the productive factory force (men's and boys' work shirts and pants).

Carwood Manufacturing Co., Cornelia, Ga., effective 1-19-53 to 1-18-54; 10 percent of the productive factory force (men's and boys' work shirts).

Co-Ed Garment Co., De Sota, Mo., effective 1-26-53 to 7-25-53; 20 learners for expan-sion purposes (ladies' washable outer clothing).

Co-Ed Garment Co., Festus, Mo., effective 1-26-53 to 7-25-53; 15 learners for expansion purposes (dresses).

Co-Ed Garment Co., Festus, Mo., effective 1-26-53 to 1-25-54; 10 learners (dresses). Cumberland Undergarment Co., Inc., Cumberland, Md., effective 1-25-53 to 1-24-54; 10 percent of the productive factory force engaged in the manufacture of ladies' silps, half slips, and gowns; learners to be engaged at subminimum wage rates in the manu-facture of these items only (ladies' undergarments).

Dallastown Apparel Co., Inc., 223 West Walnut Street, Hazleton, Pa., effective 1-26-53 to 1-25-54; 10 learners (cotton dresses).

1-25-34; 10 learners (cotton dresses).
Frackville Manufacturing Co., Lebanon,
Pa., effective 1-24-53 to 1-23-54; 10 learners
or 10 percent of the productive factory force,
whichever is greater (pajamas, night shirts,
operating gowns, jean drawers).
General Garment Co., Virden, Ill., effective
1-19-53 to 1-18-54; 10 learners (dresses).
Hollywood-Maxwell Co. 302 North Walnut

Hollywood-Maxwell Co., 302 North Walnut Street, Cameron, Mo., effective 1-23-53 to 1-22-54; 10 learners (brassleres).

McTague Manufacturing Co., Inc., Fif-teenth and Pine Streets, Philipsburg, Fa., of-fective 1-26-53 to 7-25-53; five learners for expansion purposes (gabardine sport jackets,

cotton drill convalescent coats, etc.).

Meyersdale Manufacturing Co., Meyersdale,
Pa., effective 1-23-53 to 1-22-54; 10 percent

of the productive factory force (shirts).

The Monarch Co., 383½ Whitehall Street
SW., Atlanta, Ga., effective 1–26–53 to
1–25–54; 10 percent of the productive factory
force (longies, jackets, shorts, shirts).

Perry Manufacturing Co., Box 349, Lowgap Road, Mount Airy, N. C., effective 1-26-53 to 7-25-53; 10 learners for expansion purposes (ladies' sportswear).

poses (ladies' sportswear).

Perry Manufacturing Co., Box 349, Lowgap
Road, Mount Airy, N. C., effective 1-26-53
to 1-25-54; 10 percent of the productive factory force (ladies' sportswear).

Publix Shirt Corp., Hazleton, Pa., effective 1-23-53 to 1-22-54; 10 percent of the pro-

ductive factory force (men's dress shirts).
Quality First Shirt Co., 303 Market, Bridgeville, Del., effective 1-26-53 to 1-25-54; 10 learners (men's shirts).

Red Lion Manufacturing Co., 224-236 First Avenue, Red Lion, Pa., effective 1-27-53 to 1-26-54; 10 percent of the productive factory force; learners not to be engaged at subminimum wage rates in the production of skirts (sportswear, dresses, pajamas, and robes)

Reliance Manufacturing Co., "Premium" Factory, Seymour, Ind., effective 1-26-53 to 1-25-54; 10 percent of the productive factory

force (dress shirts).

Sel Mor Garment Co., Inc., 1408 Locust
Street, St. Louis, Mo., effective 1-26-53 to
1-25-54; 10 percent of the productive factory force (lingerie).

Sel Mor Garment Co., Inc., 1133 Washington Avenue, St. Louis, Mo., effective 1-26-53 to 1-25-54; 10 percent of the productive factory force (lingerie).

Seneca Sportswear Manufacturing Co., Leggett and Clark Streets, Scranton, Pa., effective 2-1-53 to 1-31-54; 10 learners (boys' and girls' outerwear).

Sunstate Slacks, Inc., 900 North Howard Avenue, Tampa 7, Fla., effective 1-22-53 to 7-21-53; 10 learners for expansion purposes (dress slacks).

Sunstate Slacks, Inc., 900 North Howard Avenue, Tampa 7, Fla., effective 1-22-53 to 1-21-54; 10 percent of the productive factory

force (dress slacks).
The Warner Bros. Co., Malone, N. Y., effective 1-25-53 to 7-24-53; 25 learners for expansion purposes (corsets and brassleres).

¹See F. R. Doc. 53-1089, supra.

The Warner Bros. Co., Malone, N. Y., effective 1-25-53 to 1-24-54; 10 percent of the productive factory force (corsets and brasseres).

Williamson-Dickle Manufacturing Co., Uvalde, Tex., effective 1-22-53 to 7-21-53; 100 learners for expansion purposes (work clothing).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951, 16 F. R. 10733)

Amos Hosiery Mills, Inc., 328 Mangum Avenue, High Point, N. C., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

Amos & Smith Hosiery Co., Pilot Mountain, N. C., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

Burlington Mills Corp., Vance Hosiery Plant, Kernersville, N. C., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

Chadbourn Hosiery Mills, Inc., 401–409 South Sixth Avenue, Plant No. 5, Siler City, N. C., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

Crewe Hosiery Co., Inc., Crewe, Va., effective 1-25-53 to 1-24-54; five learners.

Damascus Hosiery Mills, Inc., Damascus, Va., effective 1-30-53 to 1-29-54; five learners.

Francis-Louise Full Fashion Mills, Inc., Valdese, N. C., effective 1-26-53 to 1-25-54; 5 percent of the productive factory force.

Great American Knitting Mills, Inc., Bechtelsville and Bally, Pa., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

Hollar Hosiery Mills, Inc., 5 First Avenue NW., Hickory, N. C., effective 1-25-53 to 1-24-54; five learners.

James Hosiery Mills, Inc., Greeneville, Tenn., effective 1-25-53 to 1-24-54; five learners.

Owen Osborne Hosiery Mills, Inc., Gainesville, Ga., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

The Robbins Knitting Co., Spruce Pine, N. C., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

S. & W. Hosiery Mills, Englewood, Tenn., effective 1-25-53 to 1-24-54; five learners.

United Hosiery Mills Corp., 2001 Wheeler Avenue, Chattanooga, Tenn., effective 1-31-53 to 1-30-54; 5 percent of the productive factory force.

Van Raalte Co., Inc., Athens, Tenn., effective 2-15-53 to 2-14-54; 5 percent of the productive factory force.

Windy City Knitting Mills, Inc., North Tenth Street, Hickory, N. C., effective 1-25-53 to 1-24-54; 5 percent of the productive factory force.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R. 12866)

Cumberland Undergarment Co., Inc., Cumberland, Md., effective 1-25-53 to 1-24-54; five learners; learners to be engaged at subminimum wage rates in the manufacture of ladies' panties only (knitted panties).

ladies' panties only (knitted panties).

Moyer Knitting Mills, South Race Street,
Richland, Pa., effective 1-28-53 to 1-27-54;
three learners (knitted outerwear).

Jonathan A. Williams Co., 555 Carey Avenue, Wilkes-Barre, Pa., effective 1-20-53 to 1-19-54; eight learners (infants' layette sets).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522,14)

Grace Richey Clarke Studio, 901 South Twenty-third Street, McAllen, Tex., effective 1-28-53 to 7-27-53; three learners; hand weaver; 320 hours at 65 cents per hour (handwoven reed and bamboo window blinds, handwoven table mats, and matching napkins, etc.).

Myrtle Hill Gardens, Route 1, Winston, Ga., effective 1-20-53 to 7-19-53; ceven learners; floral arrangers making dich gardens and ming trees; 240 hours at 65 cents per hour (growing house plants, making dich gardens and ming trees).

The following special learner certificates were issued in Puerto Rico and the Virgin Islands to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Puerto Rico Fabrics, Inc., Naguabo, P. R., effective 1-20-53 to 7-19-53; three learners; machine fixers and loopers; each 240 hours at 30 cents per hour, 240 hours at 35 cents per hour (seamless hoslery for infants).

per hour (seamless hosiery for infants). Virgin Islandé Button Co., Inc., Charlotte Amalle, St. Thomas, V. I., effective 1-20-53 to 7-19-53; five learners; cutters; 480 hours at 35 cents per hour (button blanks).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the Federal Register pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 26th day of January 1953.

MILTON BROOKE, Authorized Representative of the Administrator.

[F. R. Doc. 53-1091; Filed, Feb. 2, 1953; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6430]

SOUTHERN CALIFORNIA EDISON CO.

NOTICE OF ORDER ISSUING DETERLIMATION OF PROPORTION OF ANNUAL CHARGES

JANUARY 29, 1953.

Notice is hereby given that on January 23, 1953, the Federal Power Commission issued its determination of proportion of annual charges due for headwater benefits for years 1945 through 1948, entered January 22, 1953, in the above entitled matter.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 53-1105; Filed, Feb. 2, 1953; 8:50 a. m.]

[Docket No. E-6472] SOUTHERN UTAH POWER CO. NOTICE OF APPLICATION

JANUARY 27, 1953.

Take notice that on January 26, 1953, an application was filed with the Federal

Power Commission, pursuant to section 204 of the Federal Power Act, by Southern Utah Power Company, a corporation organized under the laws of the State of Utah and doing business in said State, with its principal office at Cedar City, Utah, seeking an order authorizing the issuance of an unsecured note or notes payable to the order of the Chase National Bank of the City of New York or such other bank or banks from which the Company may borrow funds up to but not exceeding \$100,000 face amount. bearing interest at a rate not in excess of 3% percent per annum and having maturity dates not later than March 1, 1955; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 16th day of February 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-1092; Filed, Feb. 2, 1953; 8:48 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-449]

INDUSTRIAL BAG AND COVER INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE COMPERENCE

Notice is hereby given that a trade practice conference under the auspices of the Federal Trade Commission, will be held for the Industrial Bag and Cover Industry in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., on February 24, 1953, commencing at 10:00 a. m., e. s. t.

All persons, firms, corporations and organizations engaged in the business of manufacturing, or marketing in commerce, any of the following paper or paperboard products are considered members of the industry and are invited to participate in the conference proceedings: Mattress and sleeping-pad bags; bags used in shipping empty cans and containers; bags for protecting upholstered furniture while in storage or in transit; hand-made or semi-hand-made bags used as protective covering for brooms and other articles of unique shape; casket covers; tubing up to 12 inches in width; freight-car liners; various types of water-resistant case liners: and form-fitting packaging used as protective covering for objects of irregular shapes and sizes.

The conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for this industry under which unfair methods of competition, unfair or deceptive acts or practices, and other

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prevented.

Issued: January 29, 1953.

By direction of the Commission.

[SEAL]

D. C. DANIEL, Secretary.

[F. R. Doc. 53-1113; Filed, Feb. 2, 1953; 8:51 a. m.1

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27749]

GLYCERINE FROM DALLAS AND HOUSTON, TEX., TO NEWARK, N. J.

APPLICATION FOR RELIEF

JANUARY 28, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below. Commodities involved: Glycerine,

other than crude, carloads.

From: Dallas and Houston, Tex.

To: Newark, N. J.

Grounds for relief: Rail competition, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 197.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the appli-cation. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD. Acting Secretary.

[F. R. Doc. 53-1054; Filed, Jan. 30, 1953; 8:48 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[CDHA 102]

HASTINGS, NEBRASKA, AREA

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS UNDER THE DE-FENSE HOUSING AND COMMUNITY FACILI-TIES AND SERVICES ACT OF 1951

JANUARY 30, 1953.

Upon a review of the construction of new defense plants and installations,

trade abuses, may be eliminated and and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations and the availability of housing and community facilities and services for such defense workers and military personnel in the area set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st Sess.) exist.

Accordingly pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that said area is a critical defense housing area.

Hastings, Nebraska, Area: (The area consists of all of Adams and Clay Counties, Nebraska.)

> ARTHUR S. FLEMMING. Acting Director of Defense Mobilization.

[F. R. Doc. 53-1191; Filed, Feb. 2, 1953; 9:00 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1481]

H. L. GREEN CO., INC.

NOTICE OF APPLICATION FOR UNLISTED TRAD-ING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of January A. D. 1953.

In the matter of application by the Boston Stock Exchange for unlisted trading privileges in H. L. Green Company Inc., Common Stock, \$1 Par Value, File No. 7-1481.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$1 Par Value, of H. L. Green Company, Inc., a security registered and listed on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the appli-cation to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. .C.

Notice is hereby given that, upon request of any interested person received prior to February 16, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 53-1093; Filed, February 2, 1953; 8:48 a. m.1

[File No. 70-2981]

SOUTHERN COMPANY AND GEORGIA POWER COMPANY

NOTICE OF FILING REGARDING SALE OF COM-MON STOCK BY SUBSIDIARY TO PARENT FOR CASH

JANUARY 28, 1953.

Notice is hereby given that a joint application-declaration has been filed with this Commission by the Southern Company ("Southern") a registered holding company, and Georgia Power Company ("Georgia") a public utility subsidiary of Southern. Applicants-declarants have designated sections 6 subsidiary of Southern. (b) 9 (a) 10 and 12 (f) of the act and Rule U-43 promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Georgia has an authorized common stock of 5,000,000 shares, no par value. There are now outstanding 4,796,000 of such shares, all of which are owned by Southern. Georgia proposes to issue and sell an additional 338,000 shares of common stock to Southern for a cash consideration of \$6,000,000, of which \$3,500,000 is to be received for 197,166 shares to be sold in February 1953 and \$2,500,000 for 140,834 shares to be sold in March 1953. The price per share is slightly in excess of the book value, per share, of the issued and outstanding common stock as of November 30, 1952, Since there are only 204,000 shares of Georgia's common stock still unissued, Georgia proposes, prior to the issuance of common stock in excess of the amount now authorized, to take such steps as may be necessary to obtain an amendment of its charter which will increase the authorized number of shares of its common stock from 5,000,000 shares to 7,500,000 shares,

Georgia states that the proceeds from the sale of the shares of additional common stock will be used by Georgia to finance improvements, extensions, and

additions to its utility plant. The

joint application-declaration states that the proposed issuance and sale of the shares of common stock by Georgia are subject to the jurisdiction of the Georgia Public Service Commission and that the expenses to be incurred in connection with the proposed transactions are estimated at \$10,850, including counsel fees of \$500.

It is requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than February 9, 1953, at 12:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his

interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after 12:30 p. m. on February 9, 1953. said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 53-1094; Filed, Feb. 2, 1953; 8:48 a. m.]

[File Nos. 70-2785, 70-2986]

STANDARD POWER AND LIGHT CORP. AND STANDARD GAS AND ELECTRIC CO.

NOTICE OF PROPOSED ACQUISITION BY PAR-ENT OF PORTFOLIO SECURITIES OF SUB-HOLDING COMPANY UNDERGOING LIQUIDA-TION AND PROPOSED ACQUISITION BY ANOTHER SUBHOLDING COMPANY FROM PARENT OF STOCK INTEREST IN SUCH SUB-HOLDING COMPANY UNDERGOING LIQUIDA-TION

JANUARY 28, 1953.

In the matter of Standard Power and Light Corporation, File No. 70-2785; Standard Power and Light Corporation, Standard Gas and Electric Company, File No. 70-2986.

Notice is hereby given that applications-declarations have been filed with this Commission by Standard Power and Light Corporation ("Power") a registered holding company, and its subsidiary, Standard Gas and Electric Company ("Standard") also a registered holding company. Applicants-declarants have designated sections 6, 7, 9, 10, 11 and 12 of the act and Rules U-42, U-43, U-44 and U-46 promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Standard now owns 5,030,690 shares (96.9 percent) of the 5,190,85211/12 outstanding shares of common stock of Philadelphia Company ("Philadelphia") a registered holding company, the principal asset of which is 4,711,829 shares (78.5 percent) of the 6,000,000 outstanding shares of common stock of Duquesne Light Company ("Duquesne") an electric utility company. Power, which holds approximately 54 percent of the common stock of Standard, owns 9,750 shares (0.2 percent) of Philadelphia's common stock, and the balance of 150,41211/12 shares of Philadelphia common stock is held by the public.

Power, Standard and Philadelphia have all been ordered by the Commission to liquidate and dissolve. In order to effectuate compliance with the Commission's orders, various plans have been

filed by Standard and Philadelphia pursuant to section 11 (e) of the act.

On November 28, 1952, a plan for the partial liquidation of Philadelphia became effective. (Holding Company Act Release No. 11400.) Under this plan, the Commission permitted Philadelphia to distribute to its common stockholders, as a dividend in kind, one share of Duquesne common stock for each five shares of outstanding Philadelphia common stock. Under this plan, Power is entitled to receive 1,950 shares of Duquesne common stock and it has filed an application herein for authority to acquire such stock (File No. 70-2785)

There is pending, before the Commission, a plan filed by Standard pursuant to section 11 (e) of the act, in further compliance with the required liquidation of Standard and Philadelphia (File No. 54-191) Step II-A of that plan provides, among other things, for the retirement of the Philadelphia common stock held by the public on the basis of 0.885 share of Duquesne common stock for each share of Philadelphia common stock. (See Holding Company Act Release No. 11657.) This basis was agreed upon by representatives of Standard and its stockholders and of the publicly held common stock of Philadelphia and reflects a settlement of certain claims of mismanagement advanced on behalf of the public stockholders against Standard. A hearing on the proposed retirement of the publicly held common stock of Philadelphia was duly held on January 28, 1953, and the matter is pending before the Commission for decision.

If Step II-A of the Standard plan is approved and consummated, the only stockholders of Philadelphia will be Standard and Power. The latter com-pames have filed a joint applicationdeclaration herein (File No. 70-2986) wherein Standard proposes to purchase from Power the 9,750 shares of common stock of Philadelphia held by Power at a price of \$24 per share, its approximate market price on the filing date (January 15, 1953) or an aggregate of \$234,000. The proposed purchase will not affect Power's right to % of a share of common stock of Duquesne for each such share of Philadelphia common stock it now holds pursuant to the aforementioned plan for the partial liquidation of Philadelphia.

In connection with the proposal of Standard to acquire Power's holdings of common stock of Philadelphia, the filing states that such transaction and the consummation of Step II-A of the Standard plan which provides for the retirement of the publicly held common stock of Philadelphia, will result in the ownership by Standard of all the outstanding common stock of Philadelphia and that such ownership will greatly facilitate the ultimate liquidation of Standard and Philadelphia.

Notice is further given that any interested person may, not later than February 16, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such applications-declarations which

he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter said applications-declarations as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

By the Commission.

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 53-1695; Filed, Feb. 2, 1953; 8:49 a. m.]

IFIIe No. 70-29241

APPALACHIAN ELECTRIC POWER Co.

ORDER RELEASING JURISDICTION OVER LEGAL FEES AND EXPENSES

JANUARY 28, 1953.

The Commission, by order dated September 15, 1952, and by supplemental order dated September 24, 1952, having granted the application, as amended, of Appalachian Electric Power Company ("Appalachian"), an electric utility subsidiary of American Gas and Electric Company, a registered holding company, with respect to the issuance and sale by Appalachian of \$17,000,000 principal amount of First Mortgage Bonds ____ percent Series, due 1932 and \$6,000,000 aggregate principal amount of ____ percent Serial Notes due 1956-1967, pursuant to the competition suant to the competitive bidding requirements of Rule U-50; and

The said order and supplemental order having reserved jurisdiction with respect to the fees and expenses of counsel by reason of the fact that the record, with respect to these items, had not been com-

pleted; and

The record having been completed with respect to these matters, setting forth the following legal fees:

	Bonds	Scrial notes	Total
Simpson Thacher & Bartlett (councel for Appalachian) Hunton, Williams, Anderson,	\$9,250	83, 200	\$12,700
Gay & Meera (Virginia coun- cel to Appalachian)	5,660	1,500	6,500
Weite (West Virginia counsel to Appalachian)	2,000		2,00
(Tennercee councel to Appella- chlun) Winthrop, Stimoon, Putnam &	1,770		1,750
Roberts (councel for the pur- chacers, to to be paid by pur- chacers).	5,000	2,500	7,500

The Commission having examined the record herein and finding that the fees of counsel, as proposed, are not unreasonable, and that it is appropriate to release jurisdiction with respect there-

It is hereby ordered, That jurisdiction heretofore reserved with respect to 706

fees and expenses of counsel be, and the same hereby is, released.

Amendment 1, filed 2:08 p. m., I-G1-3, amendment 1, filed 2:08 p. m., I-G2-3, amendment 1, filed 2:08 p. m., I-G4A-2,

By the Commission.

[SEAL]

ORVAL L. DUBOIS. Secretary.

[F. R. Doc. 53-1096; Filed, Feb. 2, 1953; 8:50 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority 5, Amdt. 2 to Revision 1)

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT UNDER SECTION 39 OF CPR 7, AS AMENDED

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, as amended, this amendment to Delegation of Authority 5, Revision 1 (17 F. R. 98) is hereby issued.

Paragraph 1 of Delegation of Authority 5, Revision 1, is amended to read as follows:

1. Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to act under Section 39 of Ceiling Price Regulation 7. as amended.

This amendment is effective January 31, 1953.

JOSEPH H. FREEHILL. Director of Price Stabilization.

JANUARY 30, 1953.

[F. R. Doc. 53-1165; Filed, Jan. 30, 1953; 1:00 p. m.]

CERTAIN REGIONS

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation 24 were filed with the Division of the Fedéral Register on January 16, 1953.

REGION IV

Richmond Order II-G1-1, amendment 2, filed 1:59 p. m.; II-G2-1, amendment 2, filed 1:59 p. m., II-G1-3, filed 1:59 p. m., II-G2-3, filed 2:00 p. m., I-G3-3, filed 2:00 p. m., I-G3A-3, filed 2:00 p. m., I-G4-3, filed 2:00

p. m., I-G4A-3, filed 2:00 p. m. Baltimore Order I-G1-2, amendment 2, filed 2:01 p. m., I-G2-2, amendment 2, filed 2:01 p. m., I-G3-2, amendment 2, filed 2:01 p. m., I-G4-2, amendment 2, filed 2:01 p. m., II-G3-1, amendment 2, filed 2:02 p. m., II-G2-1, amendment 2, filed 2:02 p. m., II-G2-1, amendment 2, filed 2:02 p. m., II-G3-1, amendment 2, filed 2:02 p. m., II-G4-1, amendment 2, filed 2:03 p. m., II-G1-3, filed 2:03 p. m., I-G2-3, filed 2:03 p. m., III-G4-1, filed 2:04 p. m., III-G4A-1, filed 2:04 p. m.

Charlotte Order I-G1-3, filed 2:04 p. m., I-G2-3, filed 2:05 p. m., I-G3-3, filed 2:05 p. m., I-G3-3, filed 2:05 p. m., I-G4-3, filed 2:06 p. m., I-G4-3, filed 2:06 p. m., I-G4-3, filed 2:06 p. m., I-G3A-3, filed 2:07 p. m., I-G3A-3, fil amendment 1, filed 2:07 p. m., I-G4-3, amendment 1, filed 2:08 p. m., I-G3-3,

amendment 1, filed 2:09 p. m. Washington, D. C., Order I-G1-3, filed 2:10

NOTICES

p. m., I-G2-3, filed 2:10 p. m., I-G4-3, filed 2:10 p. m., I-G4A-1, filed 2:10 p. m.

Atlanta Order I-G1-3, filed 2:11 p. m., I-G2-3, filed 2:11 p. m., I-G3-3, filed 2:11 p. m., I-G4-3, filed 2:11 p. m., I-G4-3, filed 2:11 p. m., I-G4A-3, filed 2:12 p. m. Columbia Order I-G3-2, amendment 2,

filed 2:12 p. m., I-G4-2, amendment 2, filed 2:12 p. m.

Jackson Order I-G3A-1, filed 2:13 p. m.,

I-G3A-2, filed 2:13 p. m. Jacksonville Order I-G3A-3, amendment 1, filed 2:14 p. m., I-G4A-3, amendment 1, filed 2:14 p. m.

Montgomery Order I-G4-2, amendment 3, filed 2:14 p. m. Nashville Order I-G3A-2, filed 2:15 p. m.,

2:19 p. m.

I-G3A-2, amendment 1, filed 2:15 p. m., I-G3A-2, amendment 2, filed 2:15 p. m.; I-G3A-2, amendment 3, filed 2:16 p. m. Memphis Order II-G1-2, filed 2:16 p. m., II-G2-2, filed 2:16 p. m., II-G3-2, filed 2:16 p. m., II-G4-2, filed 2:17 p. m., II-G4A-2,

filed 2:17 p. m. Chattanooga Order III-G1-2, filed 2:17

p. m., III-G2-2, filed 2:18 p. m., III-G3-2, filed 2:18 p. m., III-G3A-2, filed 2:18 p. m., III-G4A-2, filed 2:18 p. m., III-G4A-2, filed

Chicago Order II-G1-1, filed 2:19 p. m., Ti-G2-1, filed 2:20 p. m., II-G3-1, filed 2:20 p. m., II-G4A-1, filed 2:21 p. m., II-G4A-1, filed 2:21 p. m.

Milwaukee Order II-G1-2, filed 2:23 p. m., II-G2-2, filed 2:23 p. m., II-G2-2, filed 2:23

p. m., II-G4-2, filed 2:23 p. m., II-G1-2, amendment 1, filed 2:23 p. m., II-G2-2, amendment 1, filed 2:24 p. m., II-G3-2, amendment 1, filed 2:24 p. m., II-G4-2, amendment 1, filed 2:25 p. m.
Indianapolis Order I-G1-3, amendment 1,

filed 2:25 p. m., I-G2-3, amendment 1, filed 2:25 p. m., IV-G3-1, amendment 1, filed 2:25 p. m., IV-G4-1, amendment 1, filed 2:26 .m., II-G1-2, filed 2:26 p. m.; II-G2-2, filed 2:26 p. m.

REGION VIII

Pargo Order III-G1-3, filed 2:27 p. m., III-G2-3, filed 2:27 p. m.

Helena Order III-G1-1, filed 2:28 p. m., HI-G2-1, filed 2:28 p. m., IV-G1-1, filed 2:28 p. m., IV-G2-1, filed 2:28 p. m.

Sioux Falls Order I-G4-2, amendment 4, filed 2:29 p. m., I-G4A-2, amendment 3, filed 2:29 p. m., II-G1-2, amendment 3, filed 2:29 p. m., I-G1-2, amendment 4, filed 2:29 p. m., I-G2-2, amendment 4, filed 2:30 p. m., II-G2-2, amendment 3, filed 2:30 p. m., II-G3-2, amendment 3, filed 2:30 p. m., II-G3-2, amendment 3, filed 2:30 p. m., II-G4-2, amendment 3, filed 2:30 p. m.

REGION IX

Des Moines Order I-G4-3, amendment 1, filed 2:31 p. m., I-G3-3, amendment 1, filed

2:31 p. m.
Wichita Order I-G1-3, amendment 1, filed 2:31 p. m., I-G2-3, amendment 1, filed 2:32 p. m., I-G3-3, amendment 1, filed 2:32 p. m., I-G4-3, amendment 1, filed 2:32 p. m.

St. Louis Order I-Gl-3, filed 2:33 p. m., I-G2-3, filed 2:33 p. m., I-G3-3, filed 2:33 p. m., I-G4A-2, filed 2:34 p. m., II-G1-1, amendment 1, filed 2:34 p. m., II-G2-1, amendment 1, filed 2:34 p. m., II-G3-1, amendment 1, filed 2:35 p. m., p. m., 11-G3-1, amendment 1, filed 2:35 p. m., II-G4-1, amendment 1, filed 2:35 p. m., I-G1-3, amendment 1, filed 2:35 p. m., I-G2-3, amendment 1, filed 2:36 p. m., I-G3-3, amendment 1, filed 2:36 p. m., I-G4-3, amendment 1, filed 2:36 p. m.

Copies of any of these orders may be obtained in any OPS office in the designated city.

JOSEPH L. DWYER, Recording Secretary.

[F. R. Doc. 53-1076; Filed, Jan. 28, 1953; 4:45 p. m.]

CERTAIN REGIONS

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation 24 were filed with the Division of the Federal Register on January 19, 1953.

REGION X

Houston Order II-G1-1, filed 1:59 p. m., II-G1-2, filed 1:59 p. m. Little Rock Order I-G1-3, amendment 1,

filed 2:00 p. m., I-G2-3, amendment 1, filed 2:00 p. m., I-G2-3, amendment 2, filed 2:00 p. m., I-G3-3, amendment 1, filed 2:00 p. m., I-G3A-3, amendment 1, filed 2:00 p. m., I-G4-3, amendment 1, filed 2:01 p. m., I-G4A-3, amendment 1, filed 2:01 p. m.

New Orleans Order I-G4-2, amendment 1, filed 2:01 p. m., I-G4A-1, amendment 1, filed 2:02 p. m.

Oklahoma City Order I-G4-3, amendment

1, filed 2:02 p. m. San Antonio Order I-G1-3, amendment 2, filed 2:02 p. m., I-G2-3, amendment 2, filed 2:03 p. m., I-G3A-3, amendment 2, filed 2:03 p. m., I-G4A-2, amendment 2, filed 2:03 p. m.

REGION XI

Denver Order II-G1-1, amendment 2, filed 2:04 p. m., II-G4-1, amendment 2, filed 2:05 p. m., III-G1-1, amendment 2, filed 2:05 p. m., III-G2-1, amendment 2, filed 2:05 p. m., IV-G1-1, amendment 2, filed 2:06 p. m., IV-G2-1, amendment 2, filed 2:06 p. m., V-G1-1, amendment 2, filed 2:06 p. m.; V-G2-1, amendment 2, filed 2:07 p. m.

REGION XII

/ Los Angeles Order I-G1-3, filed 2:07 p. m., I-G2-3, filed 2:07 p. m., I-G3-3, filed 2:07 p. m., I-G4A-3, filed 2:08 p. m; I-G4A-3, filed

p. m., 1-G4-3, filed 2:00 p. m., 1-G41-0, filed 2:08 p. m., San Diego Order II-G1-3, filed 2:08 p. m., II-G2-3, filed 2:08 p. m., II-G4-3, filed 2:08 p. m., II-G4-3, filed 2:08 p. m., II-G1-3, amendment 1, filed 2:09 p. m., II-G2-3, amendment 1, filed 2:09 p. m., II-G4-3, amendment 1, filed 2:09 p. m., II-G4A-3, amendment 1, filed 2:09 p. m.

Los Angeles Order III-G1-1; amendment 2, filed 2:10 p. m. III-G2-1, amendment 2, filed 2:10 p. m.

filed 2:10 p.m., III-G2-1, amendment 2, filed 2:10 p. m., III-G4-1, amendment 2, filed 2:10 p. m., IG1-2, amendment 3, filed 2:10 p. m., I-G1-2, amendment 3, filed 2:10 p. m., I-G2-2, amendment 3, filed 2:11 p. m., I-G4A-2, amendment 4, filed 2:11 p. m., I-G3-2, amendment 4, filed 2:11 p. m.,

I-G4-2, amendment 4, filed 2:11 p. m.
San Diego Order II-G1-2, amendment 4, filed 2:11 p. m., II-G2-2, amendment 4, filed 2:12 p. m., II-G4-2, amendment 4, filed 2:12 p. m., II-G4A-2, amendment 4, filed 2:12 p. m.

REGION XIII

Boise Order I-G1-2, amendment 2, filed 2:12 p. m., I-G2-2, amendment 2, filed 2:12 p. m., I-G4A-2, amendment 2, filed 2:13 p. m., II-G1-1, amendment 2, filed 2:13 p. m., II-G2-1, amendment 2, filed 2:13 p. m.,

II-G4A-1, amendment 2, filed 2:13 p. m. Seattle Order I-G1-3, filed 2:13 p. m. I-G2-3, filed 2:14 p. m., I-G4-3, filed 2:14 p. m., I-G4A-3, filed 2:14 p. m., II-G4A-2, filed 2:15 p. m., III-G1-1, filed 2:15 p. m., III-G2-1, filed 2:16 p. m., III-G4A-1, filed 2:16 p. m.

Spokane Order II-G1-1, amendment 2, filed 2:16 p. m., II-G2-1, amendment 2, filed 2:17 p. m., II-G4A-1, amendment 2, filed 2:17 p. m., I-G4-2, amendment 2, filed 2:17 p. m.

p. m.
Portland Order I-G1-3, filed 2:17 p. m.,
I-G2-3, filed 2:18 p. m., I-G4-3, filed 2:18
p. m., I-G4A-3, filed 2:18 p. m., I-G3-1,
amendment 3, filed 2:19 p. m., II-G2-1,
amendment 2, filed 2:19 p. m., II-G1-1,
amendment 2, filed 2:19 p. m., II-G4-1,
amendment 3, filed 2:20 p. m., II-G4A-1,
amendment 1, filed 2:20 p. m., III-G4A-1,
amendment 1, filed 2:20 p. m., III-G4-1,
amendment 2, filed 2:20 p. m., III-G4-1,
amendment 1, filed 2:20 p. m., III-G4-1,
amendment 1, filed 2:21 p. m., III-G4A-1,
amendment 1, filed 2:21 p. m., IV-G4-1,
amendment 1, filed 2:21 p. m., IV-G4-1,
amendment 2, filed 2:21 p. m.

Copies of any of these orders may be obtained in any OPS office in the designated city.

JOSEPH L. DWYER, Recording Secretary.

[F. R. Doc. 53-1077; Filed, Jan. 28, 1953; 4:45 p. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19158]

J. HENRY JUNGHENN

In re: Estate of J. Henry Junghenn, a/k/a John Henry Junghenn, Deceased. File No. D-28-13148.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1–40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

- 1. That the domiliciary personal representatives, heirs-at-law, next-of-km, legatees and distributees, names unknown, of Elisabetha M. Schott, deceased, and of Maria W. Knoll, deceased, who there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)
- 2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of J. Henry Junghenn, also known as John Henry Junghenn, deceased, presently being administered by Howard Richard, as administrator d. b. n., acting under the judicial supervision of the Orphans' Court of County, Philadelphia Philadelphia, Pennsylvania, is property which is, and prior to January 1, 1947, was payable or deliverable to, or claimed by, the afore-

said nationals of a designated enemy country (Germany).

and it is hereby determined:

3. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 29, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-1114; Filed, Feb. 2, 1953; 8:52 a. m.]

[Vesting Order 19159] JULIA DORA HOTZ

In re: Stock owned by and debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Julia Dora Hotz, deceased, also known as Julia Dora Fries Hotz.

Under the authority of the Trading With the Enemy Act, as amended (50 U.S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

- 1. That the personal representatives, herrs, next of kin, legatees and distributees of Julia Dora Hotz, deceased, also known as Julia Dora Fries Hotz, who there is reasonable cause to believe on or since January 11, 1941, and prior to January 1, 1947, were residents of Germany, are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany),
- 2. That the property described as fol-
- a. One hundred and two (102) shares of \$25.00 par value capital stock of The

Texas Company, 135 East 42nd Street, New York 17, New York, evidenced by certificate numbered 346495 for 100 shares and TO391085 for 2 shares, together with all declared and unpaid dividends.

b. One hundred two-hundredths (100/200ths) of a share of \$25.00 par value capital stock of The Texas Company, 135 East 42nd Street, New York 17, New York, evidenced by certificate numbered \$20-17892, together with all declared and unpaid dividends and

c. That certain debt or other obligation of The Texas Company, 135 East 42nd Street, New York 17, New York, representing income and accretions on the property described in subparagraphs 2 (a) and 2 (b) hereof and arising out of the proceeds from the sale of rights applicable to capital stock issued by said Company, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees, and distributees of Julia Dora Hotz, deceased also known as Julia Dora Fries Hotz, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 29, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-1115; Filed, Feb. 2, 1953; 8:52 a.m.]